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REPORT

ON THE

MANUSCRIPTS

OF HIS GRACE

THE DUKE OF PORTLAND, K.G.,

PRESERVED AT

WELBECK ABBEY.

Vol. VIII.

Presented to both Houses of Parliament by Command of His Majesty.



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The work of editing this Report, on behalf of the Historical Manuscripts Commissioners, was commenced by Mr. Arthur Maxwell-Lyte, B.A., and has been completed by Mrs. S. C. Lomas. The Index has been compiled by Mr. M. C. B. Dawes, B.A.

INTRODUCTION.

The documents calendared in the present volume chiefly belong to the period from 1700 to 1708 (during which Robert Harley held successively the posts of Speaker of the House of Commons and Secretary of State) and may be broadly divided into three principal groups:—petitions and memorials; documents relating to the Navy, and papers on Scottish affairs. In addition to these, there are several papers (of an earlier date) on English ecclesiastical matters, and a certain number of miscellaneous letters and other documents.

Of the above groups, the first is by far the largest. It comprises petitions and letters containing requests sent to Harley himself, as Speaker or as Secretary, and also a considerable number addressed to the Queen or to Parliament, which were, no doubt, handed over to him for his opinion or decision; the whole series forming an important supplement to those of the same period in official keeping.

Their subject-matter is too varied for detailed description, but the two largest classes are requests for allowances, pensions, rewards or employments, and prayers for pardon, principally for petty theft, burglary and housebreaking, or horse-stealing, all which offences were, at that time, punishable by death. The majority of the culprits declare that they have been tempted from the paths of virtue by evil companions. One laments that, returning from a vain search for work, he met with a horse on the side of a common, which he "unadvisedly took to ride a mile or two homewards upon, to ease his weariness, intending to turn it loose in a very short time" (p. 328); another, that he has been seven years in Newgate, merely "for a fine of 100*l.* for a misdemeanour of words" (p. 355).

Other groups of petitions relate to ships or seamen; to patents, passes or licences; to foreigners in England, or Englishmen abroad wishing to return; to officers' widows, their husbands' services and their own necessities, with many other miscellaneous matters.

On p. 354, John Chamberlain, having for many years published "the present State of England," prays for permission to publish "the State of Great Britain." The "State of

England" was begun by Edward Chamberlain in 1669, and after his death in 1703, was continued by his son. The new title was adopted in 1708.

Some time between 1704 and 1707, James Tyrrell applied for the reversion of the office of Keeper of Her Majesty's Records at the Tower, bringing forward as his qualification for the office the fact that he had published three volumes of "a general History of England, from the best manuscripts and records." These three volumes were all that ever appeared, the History, instead of going down to William III., as was intended, stopping abruptly at the end of Richard II.'s reign. The work shows much industry and research, and includes many transcripts of documents, but the style is heavy and verbose.

Tyrrell was a barrister and a great friend of John Locke. He had been Justice of the Peace and Deputy-Lieutenant for Buckinghamshire, but was displaced by James II.

Two petitions in regard to fatal results of quarrels will be found on pp. 320, 321.

John Law, the well-known financier, had, in 1694, killed one Edward Wilson in a duel, and was sentenced to death; but escaping from prison, had ultimately found his way to Scotland, his native land. In 1704, he prayed the Queen for pardon, both for the death of Wilson and for his breach of prison, but, as is shown by Harley's endorsement, his petition was rejected, and the later years of his life were spent abroad.

About the same time, Captain Richard Hill prayed for pardon, "in compassion to his youth, in pity to his wife and five small children, and in regard to his services, for a crime committed at sixteen years of age, and eleven years since," when "he had the misfortune to quarrel with Mr. Mountford and in a rencontre to wound him, of which wound he died."

The story is well known:—how the young Irishman, infatuated with love for the beautiful actress, Mrs. Bracegirdle, made a vain attempt to carry her off by force, and this failing, rushed off with his friend Lord Mohun to the house of Will Mountford, whom he believed to be his successful rival, picked a quarrel with him, ran his sword through him and fled. Of the murder there could be no doubt, but if the "dissipated Captain," as Macaulay calls him, was only a lad of sixteen, this might well be considered an extenuating circumstance for a deed done in the heat of passion. Since that time, Hill had "endeavoured

to earn a pardon" by going as a volunteer to Newfoundland, and by serving under Marlborough. He was wounded at Blenheim, and was then permitted to come home to plead his cause, bringing letters of recommendation from the Duke and other commanding officers. From one or two later papers, it would appear that he was allowed to remain in England, but did not receive the pecuniary help which he desired.

Amongst the undated petitions addressed to Harley as Secretary is one (p. 383) from Deborah Clarke, the youngest and only surviving daughter of John Milton. Deborah Milton (she spells the name Melton) was born in 1652, and was thus, at the time of her petition, upwards of fifty years of age. She had joined with her sisters in the dispute with her stepmother on her father's death, which was settled by the widow giving each of them 100*l.*, leaving only about 600*l.* for herself. Milton is said to have declared that he had spent the greatest part of his estate in providing for his daughters, but he had also lost very considerable sums of money. Soon after his death, Deborah married Abraham Clarke, a weaver, and settled in Spitalfields. She had ten children and died in 1727, being then a widow. Whether she was a widow at the time of sending in her petition is not stated, but probably she was, as she speaks of maintaining herself, and gaining her own living. It is known that Addison visited her, gave her some money, and proposed to get her a pension, but died before accomplishing anything. It does not appear that Harley took up her case, but in her old age, Queen Caroline befriended her. Voltaire said that when her existence was known, she became rich in a quarter of an hour, but if this was true, it must have been when she was re-discovered at a later date. (*See* Dict. Nat. Biog.)

The petition of Horatio Hopkins, grandson and heir of Sir William Hopkins of the Isle of Wight, states that when King Charles I was hurried into the island, petitioner's grandfather and father found a way of corresponding with him, and were entrusted in his most important affairs; their house was chosen for his court, and to supply his needs they sold an estate to the value of 2,000*l.* per annum, "as may be evidenced by sixty odd letters of his said Majesty's own handwriting" now in petitioner's keeping (p. 360.)

This petition appears to have been copied from one presented by Horatio's father, George Hopkins, to King Charles II in

1660 (see *Cal. S. P. Ire'and*, 1660–62, p. 157). Presumably the statements were correct, for in September 1661, the King wrote to the Lords Justices ordering that George Hopkins should be paid 2,000*l.* as a first charge on the money paid in by the Adventurers, as his father had loyally sacrificed his estate in the royal cause, and he himself had been a loyal servant.

In two further orders, sent by the King to Ireland in 1664 and 1665, the amount was increased to 3,000*l.* "for his relief until we shall find some more lasting way of rewarding him for his services." It appears, however, from Horatio's petition, that like many other faithful servants of Charles II, though promised both land and money, George Hopkins never obtained anything, but died leaving his children unprovided for. Whether the application to Queen Anne had any better results, these papers do not say.

Another petition of some interest is from young Sir William Russell, grandson of Sir John Russell and Frances Cromwell, youngest daughter of the Protector. His father, Sir William Russell, senior, having served in Ireland and Flanders, had received a pension from the Queen, and on his death, a smaller sum had been continued to his widow. Her life being now despaired of, and the Queen having encouraged the Countess of Fauconberg to hope for her assistance to Sir William, he prays that the pension may be continued to himself and his brother (p. 365). The Countess of Fauconberg was Sir William's great aunt (Mary Cromwell, third daughter of the Protector). Sir William died unmarried, and the line was carried on by Francis, his only brother.

Other petitions relating to well-known families are those of Edward and Ann Rich (p. 325); Lord Power (p. 341); George Vane (p. 346); and Lady Mary Cochrane (p. 347).

Amongst the many papers relating to the Navy and Admiralty, the following are specially worthy of attention:—

An account of Torrington's Court-martial in December 1690, is written by or on behalf of Rear-Admiral de Schey, who was one of the principal witnesses. This is the more interesting as the minutes of the court-martial are wanting (*see* Prof. Laughton's article on Torrington in the Dic. Nat. Biog.)

The case of Dr. Oldys gives at length his reasons for refusing to prosecute as pirates the captains of privateers acting under a commission from King James II. after his deposition. Perhaps

his strongest point is that men to whom King James granted commissions in his army in Ireland were treated, if taken, not as thieves and robbers but as prisoners of war, "whereby his claim seems to be allowed by his very enemies" (p. 37).

A narrative by an eyewitness, of the attempt upon Camaret Bay, should be compared with that in Lord Carmarthen's Journal [B. Museum, E. 1973 (1).] This account says, what naturally Carmarthen himself does not, that his Lordship placed his ships "with a great deal of skill, and performed his duty with much bravery and hazard" (p. 41).

A defence of Sir George Rooke's conduct (when commanding in the channel in the spring of 1696) in not intercepting the Toulon squadron, affirms that the said squadron arrived at Brest four days before Sir George received his final orders to go westward to interrupt it. The paper ends with a hit at the Lords of the Admiralty, for sending foul ships to cruise, "as is sadly but truly proved by the many ships of war given away to the French since the Revolution" (p. 47).

There are many papers in relation to the business of Captain Kidd, who, sent out by Lord Bellomont to capture pirates, turned pirate himself. The first is a copy of the agreement between Bellomont and Kidd (p. 46), followed by an information concerning his first going out, when he "pretended" that "his authority was as ample as any King's commander, and therefore he should pay no respect to the King's colours where-e'er he met them" (p. 65).

In March, 1699–1700, Lord Bellomont wrote that he was continuing his search for Kidd's treasure—that mysterious hidden treasure, real or imaginary, which has remained unfound up to the present day—but without success. His Lordship thought it very hard usage that, after all the trouble he had taken, the Commons should attack him "for the misfortune of a design honestly intended though roguishly executed." He declared that the pirates had cost him more trouble and torment than any business during his whole life, and he was not a brass farthing the better for them, either directly or indirectly.

A long protest by Kidd himself gives the story of his engagement (much against his will, as he avers) by Lord Bellomont, with consent of other Lords, and ends with the assertion that he is to be sacrificed to "salve the honour" of those who had employed him (pp. 78–80).

One Henry Bolton, formerly Collector of Customs at Antigua, who had shared in some of Kidd's transactions, deposed that the latter had told him that Lord Bellomont, Lord Orford and Sir John Somers were part owners of his ship and cargo, and had "shewed him also a commission under the Great Seal, signed at the top WILLIAM REX, and another commission signed by the Lords of the Admiralty, which, Kidd said, empowered him to take pirates and the subjects of the French King."

The terrors of the press-gang are illustrated by a letter from Edmund Dummer to Harley in 1701 :—

"I am this morning going to the Nore to see my men pass a ship that there lies a pressing, for otherwise they will not stir; they are in such infinite dread of that accident that they protest they had rather turn pirates and be hanged" (p. 89).

This Edmund Dummer was rather an interesting person. He was bred as a shipwright, but rose to be assistant to Sir John Tippetts, surveyor of the Navy, and succeeded him in that office. The practical knowledge gained in his youth was of great service to him. He projected and superintended the building of new stone docks at Portsmouth and Plymouth, and weighed the ship "St. David" when she overset in Portsmouth Harbour. (*See* his widow's petition, *Cal. Treasury Papers*, 1708–14, p. 529).

In August 1701, he proposed to Harley a scheme "for a monthly intelligence between the port of London and the island plantations in the West Indies" (p. 90), and in the following year he obtained a contract for this service. He was a candid critic of the abuses of the Navy, and in one of his letters gives an account of what he thought a very disgraceful "accident" :—

"A small picaroon, coasting from the Isle of Wight easterward, met with the fleet on the coast of Sussex and stood in to the shore to weather of them under English colours . . . but when their gross had passed him, he stood off again among their small craft and cut off a brigantine and a vessel laden with bombs and other ordnance stores . . . all which was, as I am told, in sight of the fleet, which is very disagreeable because the spark is gone off with his purchase.* This is one among a thousand accidents of this kind which the last war produced in confirmation of my hypothesis . . . I must tell you the discipline must be amended, and I fear in a little time it will be found the work of a Parliament, and very difficult

* A somewhat similar incident occurred when Lord Berkley's fleet was in the Bay of Biscay in 1696. See Laughton's *Studies in Naval History*, p. 307.

even for that to correct. If it be not, I assure you from my single knowledge of things I dare pronounce the charge of so ill-husbanded a fleet will be too heavy for this kingdom to bear" (p. 100).

In July, 1702, Dummer was elected M.P. for Arundel (p. 104).

During this summer, Sir John Munden had been sent with a fleet to intercept a French squadron near the Groyne, but the squadron slipt past him in the night and reached the harbour, where he did not think it possible to attack them. On his return home, he was tried by court-martial and acquitted, but in spite of this, probably in consequence of the pressure of popular opinion*, was dismissed by the Queen's prerogative.

Dummer's observations on the matter are interesting. He is relating an interview with Henry Guy:—

"We fell to talk of public things, especially of Jack Munden's affair. His opinion and mine agreed in the point that it will be a wiping off some scales from the eyes of court-martials. I had since the election the opportunity of dining with that gentleman on board his own ship at Portsmouth, and of hearing him state his own case and the method of his proceeding. I do not love to mortify any person to his face or busy myself behind one's back, but upon my word, I did not find out that his judgment and his hearing were so alike thick and unready till then; for I cannot but think a very small attempt to have penetrated that harbour would have begotten a very great, unguarded consternation in the enemy at that juncture . . . Upon this head I reckoned a great many examples to Mr. Guy, and we concluded the Queen's censure to be just" (p. 109).

In September, 1702, the Comptroller of the Storekeepers' Accounts died, and Dummer, who would have liked the post himself, was annoyed to find that the Navy board had unanimously recommended one of their own members. His practical training made him impatient with those who lacked it, and also he thought that it was a mistake to have so many "Clerk-Commissioners."

"They may understand accounts, but the prudential judgment with relation to the bulk of that business is a science they are great strangers to; a knowledge of mechanics and crafts of various natures" (p. 111).

On page 118 is an "Opinion" in the case of two English privateers, who, having purchased a ship from a subject of the Grand Duke of Tuscany, had "armed her out of the neutral

* "The displacing of Sir John Munden doth much please the City." Report on the Harley Papers, ii., p. 45.

port of Leghorn," and had taken several prizes, with no other commission than an old letter of marque given for a ship long since cast away, and in breach of a promise made to the Grand Duke that they would not "cruise upon the French." The questions at issue were:—whether the letter of marque held good for another ship: whether a neutral could prevent a belligerent from fitting out privateers from his port: and whether the said neutral had a right to demand such a promise as the above, and to inflict punishment if it was not kept. Counsel's opinion was that the letter of marque did not hold good, but that the privateers were not guilty of piracy, as they were "cruising on their King's enemies during war"; that a neutral should have power "to see that neither belligerent should hurt the other by arming out of his ports," and that the Duke was therefore justified in requiring the promise and punishing the breach of it. The opinion is however given with the reservation that it only holds good if, upon search, "the general law of nations" should be found to support it.

In July, 1704, Rear-Admiral Whetstone, flying his flag on board the *Lichfield*, reported a collision with the *Worcester*, who "runned us on board on the lee quarter, staved her own head and cutwater and knee in pieces," and did considerable damage to the flag-ship also. Shortly afterwards, while in pursuit of the Dunkirk squadron, they came up with a Swedish man-of-war escorting a convoy. Upon the usual demand to salute the British flag (enforced by a couple of shots from the *Worcester's* guns), the Swede sent a boat to say that "he would not strike his top-sails to any prince whatever," returned a further shot from the *Worcester* by a broadside, and "battled the English ships very resolutely," doing much damage to both ships and men before he was compelled to surrender.

The Captain of the *Worcester* also sent a report of the engagement, pleading, in justification of his action, his instructions "to oblige all foreign ships to strike their top-sail and take in their flag while passing him on this side of Cape Finisterre" (pp. 131–135).

Somewhere about this time must be dated a pamphlet on the state of the fleet, blaming Sir George Rooke and urging his removal. It is in Defoe's handwriting and was probably composed by him (*cf.* his letter to Harley, vol. ii. of Report on the Harley Papers, pp. 136, 7).

This is followed by an account of the action off Malaga, by the Comte de Toulouse. The French Admiral relates with some detail an incident at the beginning of the fight. Admiral Shovell had pushed forward with the van, leaving a considerable interval between himself and the main battle, and Toulouse determined to put forward some of his ships to cut off the van, which, if the wind fell, "Comme il arrive ordinairement dans les combats," would thus be left between two fires. And this, as the Count naively remarks, "seroit arrivé infalliblement si le mouvement avoit pu s'executer"; but unfortunately for the success of the design, it was perceived both by Shovell and by Rooke; the former drew back, and the latter hurried up and began the fight. As to the battle, the French Admiral candidly acknowledged that he could only personally relate what happened to his own ships, and that for the movements of his van and rear he had to trust to the reports of their commanders, for the smoke was so thick that at times he could hardly see the ship immediately before or behind him.

For a day or two after the engagement the fleets remained near to each other, and Toulouse held that the English, who were to windward, "avoient une belle occasion de recommencer le combat, s'ils eussent voulu; mais il ne parut pas qu'ils en eussent envie." He declared that numbers, wind and sea were all in favour of the enemy, but that in spite of all he gained some advantage, being left in possession of the field of battle. The advantage, however, really lay with the English, for the French were prevented from taking Gibraltar, or even trying to do so. In England, the friends of Rooke magnified the indecisive engagement into a great victory, and set it by the side of Blenheim, the news of which had just arrived.

There are several papers in connexion with the celebrated "Case" of the East Indiaman *Worcester* (seized by the Scots in 1705, in reprisal for a ship of their East India Company arrested in the Thames), and her unfortunate commander, Captain Thomas Green, who, with his chief mate and gunner, was hanged in Scotland on a false charge of having piratically attacked the *Happy Return* at Madagascar and murdered Captain Drummond, her commander. The most interesting is a letter from William Paterson, written in April, 1705, just after the execution (p. 178).

A good specimen of the courage and enterprise of British seamen will be found on p. 44, in a paper endorsed "Poole heroes." Their daring deeds were rivalled in Ireland by Captains Camocke and Saunders, who went out from Kinsale on June 3, 1706, and in less than a fortnight captured five prizes, all of which they brought safely in to Waterford harbour (p. 232). Camocke was dismissed the service in 1715, for disobedience to orders. Angry at this treatment, he went over to the Jacobite cause, helped in the preparations for the "Rising" and was with Ormonde when he made his abortive attempt on the coast of Devonshire. He afterwards entered the Spanish service.

The terrors of the press-gang have been already alluded to (p. x. above). The arbitrary proceedings of the "press-masters" are illustrated by several papers in relation to the seizure of certain Yorkshiremen, and their rescue, not, as so often happened, by a sympathetic mob, but by the Mayor of Hull and other reputable persons. Sir Edward Northey, the Attorney-General, was very indignant at the "insolencies" of the Mayor and his companions, and gave it as his opinion that they ought to be prosecuted, but he wisely suggested that it would be better to hear what they had to say for themselves before proceeding further in the matter. What they had to say put a very different complexion on the case, The Mayor, certified to be "a very honest man and a true lover of her Majesty," showed that he had acted by the advice of his fellow aldermen and the captain of one of her Majesty's ships, and that the four men "cleared" were all masters of ships and two of them their owners; one was also a constable, another a collector of the land tax, the two others "dealers of their own venture" in lime and coal, and one of these, moreover, a churchwarden and overseer of the poor! It was not to be wondered at that the country complained against the press-masters for "sadly stretching beyond their bounds" (pp. 219–223).

In another case where the pressed-men escaped, sympathy with their woes was quickened by a less admirable motive. One lieutenant Rawlings complained that he had impressed eight men or the ship *Drake*, and being beset by the mob, he put them into Shadwell watch-house, under charge of the parish constable and other officers. But while he was absent, seven of the eight

men made their escape, by consent of their guardians, who took money for their ransom; and the eighth man was ready to swear that they would have let him go also "if he would but give them money, but he had none about him" (p. 199).

At the beginning of 1704 an Act was passed for raising recruits for the land-forces and the marines. This Act empowered the justices of the peace (three to be a quorum) to take up such idle persons within their jurisdiction as had no calling nor means of subsistence and hand them over to the officers of the army. The bill met with great opposition from the peace party, who declared the new scheme to be a violation of the liberty of the subject, and believed that it would put a power into the hands of the justices which might be used for bad ends. But the need for more troops was pressing, five new regiments had been voted and had to be raised, and on March 2nd the Commons sent the bill up to the Lords, who passed it on the 21st.

When the Act came to be administered, many difficulties arose, and there are several interesting papers in this volume on the subject.

In some cases the recruits themselves protested against the proceedings of the justices, who had then to show cause for what they had done. At Hereford, a man declared that he was a stone-cutter and a parish constable, but the justices assured Harley that he was neither the one nor the other, but "an idle, drunken fellow" (p. 140). At Derby, three men petitioned together. The first, who said he was a journeyman hatter, was (the justices certified) nothing but a drunkard and a wanderer; the second petitioned that he had "an estate of land," but could bring nothing to prove it; while the third was not only a hedgebreaker and a wife-beater, but (what appears to have been thought quite as reprehensible) "one that would not work without he might have excessive wages" (p. 189.)

Very careful consideration seems to have been given to applications on behalf of the men. Under date Feb. 4, 1705-6, there is a long letter from Henry St. John (afterwards Lord Bolingbroke) in relation to the case of one Thomas Hinton of Westwoodhay, in Berkshire. The rector of the parish had petitioned for Hinton's release on the double ground that he was "a housekeeper" and that his evidence was needed by the petitioner in a cause then depending; the rector's belief being that he was pressed in order to prevent this evidence being

given. St. John went fully into the matter, and sent up to Harley the various documents which he had obtained, viz. :— A note from the justices who had sent Hinton into the service, agreeing to his discharge; affidavits that he was needed as a witness and that a riot which he was accused of fomenting happened a fortnight after he was "pressed and in the town gaol"; a letter from an officer of his regiment, accusing him of instigating the said riot; and a certificate from the minister, churchwardens and inhabitants of the parish in his favour, by which, as St. John wrote, it did not appear that the man was "a vagabond or within the meaning of the Act," although (he added) he must say he had "no respect for certificates procured in order to get men discharged." The last paper enclosed was one from Bishop Burnet of Salisbury, stating that he had known Mr. Bevan (the above-mentioned rector) for sixteen years, and "never saw cause to find the least fault with him, but much to the contrary" (pp. 211, 212).

At times, the justices had to complain of the supineness of the local authorities. Thus a Pembroke justice wrote that the deputy-mayor, instead of helping him to secure an "idle fellow" who, by the aid of other "idle persons" had escaped, would do nothing at all, which gave the rioters so much encouragement that, unless supported, all the efforts of the justices to put the Act in execution would be vain (p. 169).

On the other hand, Sir Henry Gough, when writing to Harley concerning the conduct of an army officer in wrongfully seizing a man as a deserter, says that not only this sort of thing but "the very irregular practices" of the justices upon the late Act would make it much more difficult in the future to obtain men (p. 124).

Nor, when the recruits were found and brought to the officers, were they always accepted. The justices of Worcestershire were much discouraged because several able-bodied men, "very fit to serve," were rejected as being "undersized—not five feet eight inches high; whereby the country hath great trouble in bringing such persons in to no purpose" (p. 167).

The third and perhaps the most interesting group of papers calendared in this volume consists of letters from Scottish correspondents, giving much information in regard to proceedings in Scotland, and especially in the Scottish Parliament, at the

time when the Acts of Succession and Supply and the proposed Union with England were the burning topics of the day.

From William Carstares, Principal of Edinburgh University, one of the chief advisers of the English ministers as to Scottish affairs, and a strong advocate of the Union, there are no fewer than twenty-three letters, ranging in date from 1702 (a year before he was appointed to the Principalship at Edinburgh) to 1708; which fill up many gaps in his published correspondence. There are nine letters from William Paterson, the originator of the Darien enterprize; three from the Duke of Hamilton, one of them a long and interesting epistle to his brother the Earl of Orkney; five in the form of newsletters, and three other letters from un-named writers. Also one or more from the Earl of Mar, the Earl of Leven, David Fearne and John Stirling.

In addition to the letters, two other Scottish documents may be mentioned. One is a list of the noblemen and landed gentry of Scotland, which might have been drawn up at any time between 1703 and 1707; *i.e.*, after the creations of 1703, but before Montrose and Roxburgh were made Dukes. Its interest consists in notations by another hand, stating the supposed views of each person, in regard to matters of church and state. These additions appear to be in David Fearne's handwriting, and the list was probably sent up by him to Harley towards the end of the year 1705 (p. 202).

The other noteworthy document is a memorial by William Houston, one of the Cameronian leaders, giving a short sketch of the rise and proceedings of his "fraternity," including a notice of the famous victory of the Cameronian regiment over the Highlanders at Dunkeld in August, 1693, and an account of the "present state of the nation" in regard to religious opinions in several of the shires and districts (p. 371).

At the beginning of the volume are certain papers of an earlier date, which probably belonged to the first Sir Robert Harley.

On page 3 is a petition from Dr. Henry Rogers, prebendary of Hereford, to the House of Commons, accusing Richard Bassett, another prebendary, of ignorance, extortion, and false accusations. Dr. Rogers, when the Civil war broke out, proved himself an "undaunted champion of the King" (*see* Walker's *Sufferings of the Clergy*), and was deprived and sequestered in consequence. There are several notices of him in vol. i. of the Report on the Harley Papers. Lady Harley was very indignant with him for

sermons preached in Cathedral in the summer of 1642, and repeatedly urged that he should be "sent for" to answer such intolerable speeches. His book against Mr. Fisher was an answer to Fisher the Jesuit.

In 1643, the Sub-dean and Prebendaries of Westminister sent in their certificate of obedience to the dictates of the "Committee for Demolishing Monuments of Superstition and idolatory" (p. 4); reporting that they had left off "an ancient custom of that church to minister the Communion in wafers," had set the communion table "east and west in or towards the body of the church," had broken and defaced crosses, crucifixes and pictures, and had taken away "all the candlesticks upon the Communion table." This certificate was probably sent by the Committee to their zealous co-adjutor Sir Robert Harley. A list of some of the acts of vandalism which he superintended is given in vol. i. of the Harley Report (p. 132).

In or about August, 1645, some ministers in the counties near London presented a petition to the Commons (p. 4), representing the deplorable condition of the Puritan incumbents of the churches from which the Church of England clergy had been "outed." They complain of the insufficiency of their maintenance, the uncertainty of their tenure, and the need of money for the repair of their churches, and desire relief either from the taxes or out of the Bishops', Deans', and Chapter lands. The money accruing from these lands was partly employed in granting augmentations to the Puritan ministers.

Another petition—sent from Marden in Herefordshire to the Committee for Plundered Ministers—sets forth that their aged vicar, "at no time fit to preach, was lately dead; that the man who sought to succeed him was also very unfit; that for want of good teaching the people were led to ale-houses, and no way seeking religion," and that the parish school was utterly neglected (p. 5). It was perhaps in answer to this appeal that, in December, 1647, John Toldervey was appointed, who as the County Committee certified, preached every Lord's Day, and was "a light in so much darkness." (*See Lords' Journals* ix., 612; *Cal. of Committee for Compounding*, i., 604).

To these ecclesiastical papers follow petitions concerning the vexed question of the claimants to the Post Office; Col. Lockhart's debts at Dunkirk; the pay for Sir Robert Harley

and his regiment; and the rights of the Courteen family in Barbadoes.

But amongst these miscellaneous papers, the most curious and entertaining is a narrative by Sir Robert Harley (second son of the first Sir Robert and Lady Brilliana Conway) of his efforts to effect the restoration of Charles II. Ignoring (except by a vague word of apology) the fact that his first commission was in the Parliament army, and that as late as 1648, he discovered and frustrated a royalist plot to surprise Ludlow Castle, he proceeds to relate, with extreme self-satisfaction, his exertions in the King's cause. "With those who rose earliest," he devoted himself to his Majesty's service. Perceiving that the *palladium* of the Parliament party was the army, he set to work to injure its machinery (his metaphors are somewhat mixed) and with some success, but his design was discovered, and only the chance that he was committed to an officer "particularly beholding" to him enabled him to escape with his life. When the King was in Scotland, "Robin Harley" corresponded with Col. Edward Massey, who had also gone over to the royalist side. Their cypher letters were intercepted, but again fortune was kind, for Dr. Wallis (the great decypherer of the day), was chaplain to Lady Vere, Harley's aunt; he "did hide the true disclosure of the cypher," and Harley only suffered a brief term of imprisonment. Then followed the downfall of the Royalist hopes at Worcester.

"Now imposture triumphed; but R. H. knew all this was art, and that the imposter himself tottered in his own heart; the drink of his success made him snort and prance, but every shadow seemed double, and grew into treasonable apparitions."

Out of zeal for the King's service, Harley even overcame his "horror and disdain" of republican plotters and became partaker in their most secret counsels, in order to use them to bring about Cromwell's ruin, and this in spite of the kindly overtures of the Protector, who invited him "to be his bedfellow and friendly companion."

It was entirely his doing (so he says) that Bradshaw opposed Oliver's promotion—on the ground that if a single person was necessary the King was fittest—and spoke so admirably in Parliament, magnifying the King and villifying the other, "that the whole land rang with the sweet savour" of his praises.

In 1657, Harley was mixed up in the business of the Duke of Buckingham, and in April 1658, was sent to the Tower. At this time he was looked upon by the royalists as "an active Presbyterian," (*See* letter from Church to Nicholas in *Flanders Correspondence*) but they considered him "a much honester man than his father." Within five months the Protector died. Harley spitefully declares that he died of a surfeit, "whatsoever others may say."

"And now the heavens were fallen, and every fool ran to catch larks, but went an hungry to bed; and Richard appears and calls a Parliament."

The King's friends were of opinion that their "best game" was to support Richard, but "R. H." knew better. He declared that Richard must be ruined, and having, "with much ado," brought all the rest round to his opinion, he began to move, and "had the luck to put out the right stone, which made all that building." He went to Desborough, told him that a charge of high treason was hanging over him, and persuaded him to "break that Parliament and out his cousin Richard."

The next person to be taken in hand was Lambert. He was marching against Booth, and his march must be diverted, or at least retarded. "All other imaginations failing, R. H. undertook it, and stayed it fourteen days" by telling tales in Council as to a plot of Lambert and Desborough to bring in "cousin Dick" again. He did not however keep Lambert back long enough to prevent his defeating Booth, and turning out the Parliament.

"Then indeed R.H. was not negligent in using his utmost endeavours" to have Fairfax chosen General and a free Parliament called. "When R. H. had engaged a considerable part of the army to this purpose," it was thought fit that he and Lord Townshend should go to Fairfax and persuade him to fall in with their plan. "How the Lord Fairfax appearing in arms brake Lambert's army, Monck was always just in declaring." Harley returned to town and the newly re-assembled Parliament at once sent him off to meet Monck. He was kindly received, but found the General reserved, and believed he was in great doubt whether "the present time was fit to perform what he might well intend."

"From Mansfield to Nottingham, R. H. marched with Monck." There was much discourse between them, and in the end, the

General agreed to many things which he had before refused. When the troops in the West were suspected of a design to join Lambert, Monck sent "R. H." down. "With great dexterity" he so managed them, that not above sixty went to the rendezvous at Edgehill, though more than four thousand of the old army had engaged to do so.

On his return to London, the Lord General despatched Harley to the King, to pray him to come speedily to London. But at this point, where we might expect a final note of victory, the narrative breaks off into an apology, and it would seem that the "Kingmaker" had fallen under suspicion by reason of his "correspondence" at Dunkirk, where his brother, Col. Edward Harley, had been made Governor by the King, and Sir Robert appointed Colonel of one of the regiments in garrison there. Instead of being favoured and rewarded, he was accused by Clarendon of holding meetings with Commonwealth men, and his regiment was sent off to Tangier, the usual place of exile for Oliver's old soldiers.

Harley, being ill, could not go with his men, and they were, as he complained, "the most part of them poorly and foolishly destroyed by the Moors."

In October, 1663, the regiment was reduced into that of Lord Peterborough, the Governor, but before this date Harley had been made Keeper of the Seal for Barbadoes and the Caribbee Islands, under Lord Willoughby of Parham. He did not stay there long, being, as he says, driven home by the climate, but the real reason for his return was doubtless his disagreement with the Governor, who took the Seal from him on the ground of his "ill-use of it and other miscarriages." (See letter in *Cal. S.P. America and West Indies*, 1661-8, p. 188). In another letter (*ibid.* p. 189), Willoughby declares that he did not banish Sir Robert, but that "he went off in discontent because he could not remain to do as he listed." Harley does not mention the quarrel, but it is easy to see that something had happened from his violent abuse of the "giddy head" and "addled brains" of the Governor. In the expression that at last "God threw him out of his hand against the rocks," he evidently alluded to the fact that Lord Willoughby was lost at sea.

Later, Harley was employed by Arlington to assist in the attack upon Clarendon, and in 1670, he obtained the place of receiver of fee-farm rents in some of the western counties.

Amongst the State Papers for January, 1670–71, is a letter to Lord Arlington on the subject of the sale of these rents. Probably this petition and "relation" were sent up at the same time.

Harley's narrative has a counterpart in one calendared in the Report on Mr. Leyborne-Popham's MSS. where a certain Mr. Collins proves (at any rate to his own satisfaction), that "he it was that did bring in the King." But as Harley scornfully remarks, "Every one tells stories what great things they did" for His Majesty.

On p. 14 is the draft of a petition from "several loyal subjects called non-conformists" to Charles II. It is doubtful whether this particular petition was ever presented, but it is known that there were several addresses to the King while the schemes for an accommodation were on foot. It represents the standpoint of the more moderate of the non-conformist ministers (of whom Baxter was the leader and spokesman) during the earlier part of Charles' reign, after they had been ejected from the benefices which they had held during the Interregnum, but while they had still hopes that they might be re-instated. The authors of the petition were ready to take "the late oaths of Allegiance and Supremacy and the Anti-papal Test," but demanded the repeal or dis-use of "the two declarations in the Act of Uniformity, the Oxford Oath (*i.e.* the Act passed at the Parliament of Oxford in 1665, commonly called the Five Mile Act) the oath of canonical obedience and the subscriptions to the canons." As regards forms and ceremonies, their attitude was much the same as that of the extreme Puritan party within the Church at the Hampton Court Conference in 1603–4. If by the "Anti-papal test" is meant the test Act of 1673, the date of the petition must be later than this enactment. The proviso that licence to preach should not be required for those who had already been episcopally ordained represents one of Baxter's main contentions. In 1673, Baxter was asked by the Earl of Orrery to draw up proposals on which to try to arrange terms of union. He did so, and the House of Commons framed a bill, but it broke down. In the following year, however, Tillotson and Stillingfleet desired a conference with Baxter, Nanton and other prominent non-conformist divines. Baxter's proposals of the year before formed the basis of the discussion, and the petition amongst the Harley Papers follows so closely the lines of these proposals

that it may probably be assigned to this date. It may even have been submitted to the conference, for the article concerning the oaths is erased, and this can hardly have been done by the non-conformists themselves, as it embodied one of the cardinal points of their demands.

On p. 22 is a report of Lord Castlemaine's defence before the House of Commons, in relation to his embassy to Rome. It practically co-incides with the report printed in Emlyn and Cobbett, but differs in many small details, and is evidently the work of an independent hand.

The famous case of the "Kentish Petition" in 1701 is illustrated by two documents; viz., the original warrant of Harley, as Speaker, to Samuel Powell, serjeant-at-arms, for the apprehension of David Polhill, one of those who had carried up the petition (p. 87); and a narrative by the said serjeant (p. 90), whose view naturally differs considerably from that of the prisoners themselves, as set forth in the detailed account of the whole matter in Somers' Tracts (second series, vol. iv., p. 300, "A History of the Kentish Petition"). He states that the Kentish gentlemen had "full liberty to go where they pleased" until Thomas Colepepper made his escape; that they were used with all civility, and that they were insolent and abusive in their carriage towards him. The "History," on the other hand, says that Thomas Colepepper got leave of absence on parole to visit his sick wife, surrendering himself again a few days afterwards, and that all the prisoners were very rudely and roughly treated. Their indulgence in strong language is not denied. When attempts were made to prevent them from entering the House, William Colepepper vowed that if every tile upon the Chapel of St. Stephen was a devil, he would present the petition, and after a violent scene in the messenger's house, Thomas Colepepper expressed his hope and belief that he should live to see the serjeant hanged; so that it is quite possible that others of the gentlemen may have said that "they valued not the serjeant, and had better men to clean their shoes."

Slight traces of another famous constitutional case, that of the "Aylesbury men" in 1705, appear in these pages. On p. 168 is the Speaker's warrant for the remand of certain of the prisoners to Newgate, in Feb. 1705, and on p. 324, the petition of one of them, John Oviatt, to the Queen, setting forth that he had been remanded on a wrong judgment, and praying for a writ of error.

With the petition is a memorandum by Harley that a lawyer, coming on behalf of the prisoners, had been asked why they had not petitioned the House of Commons long since, as then they might have been released; to which he answered that "they could not petition the Lords (sic) until they had petitioned the Queen." "Lords" is perhaps a mistake for "House." They had petitioned the Lords, but refused to address the Commons.

Amongst the miscellaneous papers of Queen Anne's reign, mention may be made of a letter from John Netterville on political affairs in 1707 (p. 278); an information concerning the collusion of "thief-takers" with the thieves they were supposed to discover and capture (p. 306); a proposal for diverting a certain small duty upon stone raised and shipped at Portland for the support of "the school of mathematics and navigation at Weymouth" (p. 276); and two letters from William Blencowe, decypherer to the government, upon the difficulties of his task.

In answer to some complaint from Harley, Blencowe begs to say a word in his own excuse.

"It happens unfortunately enough in our work of decyphering that nothing but a discovery is an evidence of any pains taken. We may perplex our thoughts very long, make many conjectures and pursue them very diligently, yet if we fail in the discovery, all our work vanishes . . . When these letters came first to my hands, I applied myself diligently to them, laid everything else aside, and studied them very assiduously for above a month; till it was so much beaten into my mind, that I could remember how and where almost every number occurred, and could work upon it without my papers. . . . Yet I advanced not one step. Some conjectures proved false and others arose till I was forced to quit the work imperfect, leaving many guesses neither disproved nor confirmed. . . . This must be done after a reasonable time spent; for else an insuperable cypher would hold us in an endless chase to no purpose" (p. 234).

S. C. LOMAS.

THE MANUSCRIPTS

OF

HIS GRACE THE DUKE OF PORTLAND.

VOL. VIII.

HARLEY LETTERS AND PAPERS.—VOL. VI.

SIR HENRY SPELMAN, knight.—Petition to the House of Commons.

[About 1625.]—" Edward Fisher, a Londoner, being possessed of a lease for sixty years of the manor of Grandcourt, the priories of Wrongey, Blackburgh, etc., leases them to Harpley for twenty-two years at a rack rent; John Wrenham, the elder, then living and persuading Harpley to accept it. Wrenham dies: John Wrenham, his son, brings Fisher into Chancery, suggesting that he had the grand lease but in trust for his father. Fisher denies any trust, but offers upon satisfaction of all moneys due unto him from Wrenham to design him the lease disencumbered; which is so decreed, both parties then admitting Harpley's lease for good; who by his great charge and industry much improves it.

" Fisher flies from this agreement. The Lord Chancellor thereupon awards the possession to Wrenham with a commission to deliver it. Harpley shews that his lease was made long before the bill was exhibited, etc.; and obtains an order for enjoying his possession with *supersedeas* to the commission. Wrenham then exhibits his bill against Harpley, charging him with notice of the trust, and that his lease was antedated and revocable; all which Harpley upon his oath denies, and Wrenham, as therewith satisfied, proceeds no further, but seeks to buy Harpley's lease, who refuses to sell it, and resting so in quiet for three terms dies.

" Harpley's executors offer this lease to petitioner, who, having heard of the suits, refuses to deal with it till confidently assured by Serjeant Francis Moore and others that all was cleared; and then he gave about 600*l.* for it.

" Wrenham exhibits his bill against petitioner, charging him with buying it *pendente lite* and having notice of the suits: petitioner shews in what manner, as before. Wrenham that

term proceeds to a hearing with the Fishers, and the Lord Chancellor decreeth the grand lease and possession to Wrenham against Fisher and all claiming under him, without hearing petitioner's counsel, being present and much desiring it. Nor would he upon motion restore him.

" The now Lord Chancellor reviewing the cause reduces the grand lease to Sir Edward Fisher, claiming under his father; and petitioner being outed under that title prays also to be restored with it. Sir Edward Fisher, opposing it, obtains a reference to Mr. Doctor Amye, upon whose report his lordship, without hearing or knowledge of petitioner, decreeth his lease to be brought into Chancery to be cancelled, and him to accept 100*l.* in satisfaction, having lost about 200 marks for fourteen years. The cause and report then standing in reference to the Master of the Rolls and no bill depending between Sir Edward and petitioner."

Prays to be relieved for his lease with the mean profits.

Destruction of Timber.

[1628, April 25 ?]—Remonstrance presented to Parliament showing the loss and danger to the kingdom caused by the excessive destruction and waste of timber fit for shipbuilding, especially by ironworks. Giving the causes and suggesting the remedies.

The Commisioners for Trade, appointed by Commissions under the Great Seal of September 21, 1638, and February 3, 1639, to enquire into the state of the clothing industry.

1640, June 9.—Report stating the causes of the decay of the trade to be :—

(1) The growing exportation of wool, yarn, fuller's earth, " tobacco-pipe clay " and woodashes to foreign countries.
(2) The high price of cloth when it reaches the clothier's hands, and of dyeing materials.
(3) The high import duties on English manufactured cloth in foreign countries, enabling them to undersell us.
(4) The frequent use of " gigmills, now called mozing mills for avoiding the penalties of the law," in the dressing of cloth. These " engines " still require to be suppressed in Gloucestershire " about Stroudwater."
(5) Various frauds in the manufacture, especially "streyning" or stretching cloth, beyond the terms of the Toleration of 1608.
(6) Deceitful practises by the " aulnagers and searchers, who are the searchers of cloth."

They suggest appropriate remedies for each of these evils; and in particular recommend the incorporation of the chief clothing towns, and the engraving of a new aulnager's seal, to be called the " Crown Seal."

Annexed are further recommendations :—To grant corporations to sixty towns specified after the model of the Corporation for making " bays " at Colchester, who shall appoint paid officers to supervise the clothing trade in the district; and that each corporation shall be responsible for the " losses, damages and penalties of all faulty cloths or stuffs that are suffered to pass their seal." Also the appointment of a Court of Merchants for the speedy determination of mercantile causes.

Endorsed, " March 9, 1640," *but clearly dated as above. Fifteen signatures. Vellum.*

The LEVANT COMPANY.—Petition and remonstrance to the House of Commons.

1640 [-1], January 19.—Setting forth their grievances, and praying the House to confirm their privileges by an Act of Parliament, and to order the persons complained of to give satisfaction.

HENRY ROGERS, Doctor of Divinity and Lecturer of Hereford.—Petition to the House of Commons.

[1640-1641 ?]—Complaining of the conduct of Mr. Richard Bassett, who had two benefices in Glamorganshire with six cures, " containing more ground every way than is between London and Hounslow," and lived many years at Hereford as prebendary and surrogate, but never preached there, being so unlearned that his reading of the lessons and ministration of the Communion caused great scandal. In January 1629 [-30], he commanded petitioner to preach at the bishop's visitation in February, which season is contrary to the canons. He also exacted unwarrantable fees from Richard Garroll and others. Petitioner wrote to his diocesan, who was Bassett's father-in-law, questioning the legality of these commands and exactions; and was cited to prove a will; for renouncing which, 5*s.* were demanded of him according to a forged table of fees, " the original table in Archbishop Whitgift's registry having no such fee." Petitioner also questioned a citation *ex officio*, and was admonished by Bassett to appear on Good Friday before the bishop at Whitborne. Appealing from that court, he was suspended from his benefice and obliged to go to London to prosecute his appeal. After further vexations, Bassett procured a scandalous order with Doctor Benson's hand forged on it to be served on petitioner " on the Lord's day in the choir," and prosecuted him in the High Commission Court for " divers crimes of simonies, but after the examination of forty-seven witnesses could not touch petitioner in any criminal matter." Petitioner then preferred a bill against Bassett and others in the Star Chamber, " but by the means of Bishop Neale it was cast out." Being a diligent and learned minister, " and having then newly written a book against Mr. Fisher," he was much hindered in his livelihood, and prays for the consideration of the House.

EDWARD LAKE.

1643, December 30.—Royal grant of a baronetcy to Edward Lake, Doctor of the Laws, Advocate-General for Ireland, and his heirs for ever, in consideration of his losses and services, " more particularly that at the battle at Edge-hill, where he received sixteen wounds to the extreme hazard of his life, and his left arm being then disabled by a shot, he held his bridle in his teeth." Granting him also for a coat of augmentation, " in a field *gules* an armed right arm carrying upon a sword a banner *argent* charged with a cross betwixt sixteen shields of the first and a lion of England in the fesse point. And for a crest, a chevalier in a fighting posture, his scarf red, his left arm hanging down useless, and holding his bridle in his teeth, his face, sword, armour and horse cruentated."

Given at Oxford. *Copy.*

The SUBDEAN and PREBENDARIES of the COLLEGIATE CHURCH of WESTMINSTER to the COMMITTEE FOR DEMOLISHING THE MONUMENTS OF SUPERSTITION AND IDOLATRY.

[1643.]—Certificate that in obedience to their order, " they have left off an ancient custom of that Church to minister the Communion in wafers, and do now minister it in ordinary bread.

" That they have removed the Communion table from the East end of the Church, where it stood altarwise North and South, and have set it East and West in or towards the body of the Church.

" That they have defaced the crucifixes in the frieze over the Communion table and such other parts of the Church as they could find any.

" That they have taken away and broken the crosses upon the Church, and the pictures and portraitures of God the Father, the Holy Trinity and the Virgin Mary.

" That all the candlesticks upon the Communion table are taken away; nor any bason to be used but one, and that only at the time of the Communion to receive the alms of well-disposed persons, which alms are and shall be faithfully distributed to the poor at convenient times."

J. BROMMICH.

1644, December 2.—Answer to the charges brought against him by Major Throckmorton and others concerning his conduct at Gloucester during the absence of the governor and his advice given at a council of war at Monmouth. *Signed.*

"This writing was produced, read and delivered by Colonel Brommich at a council of war held in Gloucester 2 December, 1644." *Signed*, Jo. Dorney, Advocate.

MINISTERS in the COUNTIES NEAR LONDON.—Petition to the House of Commons.

[1645, August 25 ?]—While acknowledging the indefatigable labours of the House to establish purity of worship in the country,

they " cannot but with bleeding hearts represent " the deplorable condition of the ministry established in those counties owing to the insufficiency of their maintenance, and the uncertainty of their tenure arising from lack of presentation; causing many of their brethren to desert their places. They lament the printing of books in which " God is blasphemed, His Sacred Word misinterpreted, and this honourable House highly affronted "; and pray on behalf of their congregations for the necessary repair of the churches. They desire relief out of the taxes or out of the lands of bishops, deans and chapters, and the appointment of a committee in the several counties by authority from the House to enquire into the value of any such lands as are not yet disposed of.

The GRAND INQUEST for HEREFORDSHIRE.—Petition to the House of Commons.

[1647, January.]—Disavowing " a certificate lately promoted by Colonel Birche's agents, and pretending to be the voluntary act of the gentry and commonalty of this county, whereby to clear both himself and soldiers under his command from the grievous pressures and many insolencies " committed by them; they being sensible of the surreptitious means used to procure it: and protesting against Birche's exactions and quartering of soldiers in the county. They pray the House to consider their sufferings and the petition from the Grand Inquest at Michaelmas last, and to relieve the county from the soldiers quartered on it. *Sixteen signatures.*

Annexed is a resolution of the justices of the peace at Hereford on January 12, 1647 (22 Charles), assenting to the above petition and ordering Colonel Harley to present it to the House.

PARISHIONERS AND INHABITANTS of MARDEN, co. HEREFORD.—Petition to the Committee for Plundered Ministers.

[*1647]—Their aged vicar, who was at no time fit to preach, is lately deceased, and one Theophilus Thomas, who seeks the vicarage, is also very unfit. The vicarage is worth 50*l.* *per annum*, and the tithe and glebe are worth 200*l.*, of which 50*l.* goes to a Popish delinquent. There is also a small parish called Amberley near adjoining and " very necessary," which has long been destitute of a minister, whose tithe belonged to the Bishop of Gloucester; and they conceive that out of all this 100*l.* might be spared for a minister for Marden, which consists of six townships; " and now for want of good teaching the people are led to alehouses, and no ways seeking religion." There is also a school house, now altogether neglected, which ought to be maintained principally out of Sir Henry Lingen's estate, "and is a great prejudice to the breeding and discipline of youth." They pray therefore " for a speedy reformation after so long a time of heathenish courses of life," either by an ordinance of parliament or by a commission to the divines of the county to settle the matter. *Numerous signatures.*

* John Toldervey was appointed Dec. 24, 1647 (Lords' Journals ix, 612).

HENRY ROBINSON.—Petition to the Council of State.

[1660, March ?]—By recent orders of Parliament* the care of the Letter-Offices has been transferred to the Council of State, as also the business of hearing the pleas of all claimants of those offices, and of reporting the same. Petitioner claims a right to the profits of both offices, on account of his having purchased them from Charles Lord Stanhope, and having improved the value of the offices by his charge and contrivance. He prays that the offices may be farmed out to him, or that he may be manager thereof with a yearly salary or a proportion of the profits, until parliament shall hear and determine his title. *Signed.*

Enclosing his case, showing that the office of Postmaster-General had been in the hands of the Lords Stanhope since 1577, until Charles Lord Stanhope's title to the charge of foreign letters was disputed by Matthew Dequester in 1624, under pretence of a new patent, the reversion of which has been procured by Thomas Witherings. Judgment was given for Lord Stanhope, who conveyed the management and profits to petitioner; but the latter was fraudulently deprived of the charge of foreign letters by the late Earl of Warwick, and of inland letters by Edmund Prideaux, late Attorney General; "for they two did understand each other so well." Then petitioner resolved to carry letters three times a week, whereas the Attorney-General carried but once, and to require only 3*d.* a letter instead of 6*d.*, being well assured "that there would be sent for time to come above six threepenny letters for every sixpenny letter sent in the Attorney-General's time." He was just about to publish his offer when the parliament, on March 21, 1649 [-50], passed certain resolutions [*recited*], after which he "durst not farther proceed in carrying letters." Prays for compensation out of the profits arising to the Commonwealth since they took possession of the said offices.

Also a printed copy of the case, giving further details.

COLONEL WILLIAM LOCKHART.—Petition to the House of Commons.

[1660, November 12 ?]—Was obliged to contract several debts in Dunkirk for the public service. Some of his creditors having taken out arrests against him, and no money having been sent from England for the first six months of his stay in Dunkirk, whereby the soldiers' pay is in arrears, he prays that orders may be given to satisfy his creditors.

Divers SOLDIERS late belonging to SIR ROBERT HARLEY'S REGIMENT.—Petition to the Duke of Albemarle.

[1662, March ?]—At the said regiment's going to Tangier, petitioners as supernumeraries were by Lord Rutherford's orders

* See Commons' Journals, Jan. 7 and Feb. 27, 1659-[60.]

reduced into the "regiment of Guard lately come from Dunkirk," not receiving their arrears due in Sir Edward Harley's time, which his lordship has no order to pay them, though the other two regiments had theirs. Praying order for payment. 26 *signatures.*

SIR ROBERT HARLEY.—Petition to the King.

[1662, March ?]—On behalf of himself and the officers and soldiers at Tangier, for a grant of 2,875*l.* 9*s.* 4*d.*, being two months' pay, which is in arrears. "The officer appointed to solicit the business forgot to get any order so in form as was requisite." [*Before March* 21, *when a Privy Seal was granted.*] *An appended table shows the scale of pay for all ranks.*

JANE BROOKE, Widow of Captain Samuel Brooke.—Petition to the Duke of Albemarle.

[1666, January ?]—Her husband, "slain in the sad day of of the late Earl of Teviot's disaster by Tangier," was deputed by the regiment of Sir Robert Harley, one of the colonels of the Dunkirk garrison, to settle that garrison's accounts, after which he was sent back by Sir Robert to Dunkirk. Sir Robert received 2,800*l.* or more for two months' arrears of pay for the garrison, but neither her husband nor herself have ever been able to obtain the proportion due to them. She prays that an "effectual letter" may be sent to Sir Robert ordering him to do her justice. [*See Albemarle's letter*, Report on Harley Papers, *vol. i.*,* *p.* 295.]

WILLIAM COURTEN.

[1669.]—Petition to King Charles II of William Courten, grandchild and heir of Sir William Courten, deceased; George Carew, administrator *de bonis* of the said Sir William; William Lloyd and Thomas Coleman, on behalf of themselves and many orphans and widows concerned in the Island of Barbadoes. Setting forth the discovery of the island by Sir William Courten; the establishment of sugar plantations there; the grant of the island to him; the counterclaim of the Earl of Carlisle that it was a Caribbee Island, and so included in his patent, and his seizure of the place and imprisonment of Sir William Courten. In 1629 the Earl of Carlisle assigned his patent to the late Lord Willoughby of Parham and his heirs for a term of forty years, "ending about Christmas next." Sir William died in 1636 deep in debt; and his son, William Courten, "to preserve his father's reputation," contracted 80,000*l.* debt to discharge his father's engagements upon hopes of reparation from the Barbadoes.

"Forasmuch as strangers have eaten the bread of your petitioners," they pray that the King will settle such a governour, in place of Lord Willoughby, that they may find relief for their grievances; and the islanders, quieted in their possessions, may be made freeholders according to law on payment to petitioners of an equitable sum of money.

* i.e. vol. iii. of Report on the Duke of Portland's MSS.

NAVY BOARD to [the LORD HIGH ADMIRAL.]

1670, October 18. [Navy Office.]—"A list of fifty ships proposed to be set forth for the next summer's service, in pursuance of his Royal Highness' order of September 25, 1670."

First rates, 6; Second rates, 6; Third rates, 16; Fourth rates, 14; Fifth rates, 8; to which are added 9 ketches and 15 fireships.

Also "An estimate of the charge of maintaining at sea 50 of his Majesty's best ships to be fitted forth for the next summer's service; as also the cost of 15 fireships, with the charge of wages and wear and tear attending the same."

Wages and victuals of 18,085 men for 50 ships and 9 ketches, for eight months at 4*l.* a man *per mensem*	578,720*l.*
Cost of hulls and furniture of 15 fireships at 800*l* per ship	12,000*l.*
Wages and victuals of 600 men for the said fireships	19,200*l.*
TOTAL ...	609,920*l.*

Copy.

OFFICE of the ORDNANCE.

1670.—"An abstract of the charge of powder, shot, match, muskets, carriages and other munition and habillaments of war for supply and furnishing his Majesty's ships and frigates for the next year's service."

The ships, ketches and fireships as in foregoing.

TOTAL. 143,388*l.* 6*s.* 0*d.* *Copy.*

SIR ROBERT HARLEY.—Petition to King Charles II.

[About 1671, January.]—Having suffered for his Majesty's service several imprisonments in the Tower of London, the Castle of Bristol and elsewhere, he was necessitated to sell his estate to pay his debts, and to purchase the receiver's place of the King's fee-farm rents in the counties of Hereford, Worcester and Stafford, valued at 200*l.* *per annum.* But within a few weeks after the said place was granted to him for life, the said rents were exposed to sale, so that he "has not received one penny profit" by it; and will lose the small remainder of his estate unless relieved. He prays that he may be granted 85*l.* 16*s.* a year, being a royal fee-farm rent payable out of Kingsland, which was formerly petitioner's estate, or that the purchase money of this rent may be assigned to him.

Enclosing SIR ROBERT HARLEY'S NARRATIVE—

"With those who rose earliest Robin Harley devoted himself to your service; and that it was not sooner, he begs that twenty-five years service may make some atonement. In that which

was called the Long Parliament R. H. joined himself to those who intended your service, and had all others' industry been like his, fate itself might have been prevented. Many things both for deceit and ostentation were used, but the *palladium* was the army—a machine made up not of natural pieces and with great artifice kept together. R. H. knew well what marchesate (marcasite), what false tempered metals went to the making this engine, and that if it were rightly touched it would break in fume and clatter about their masters ears. To this R. H. applied himself, and with some success, so as frequently one or other of their main wheels became disserviceable, though caution was not wanting; the consciousness of their weak part made their jealousy with great malignity fall on R. H., ordering his [*missing*], which had been executed, but that it chanced that the officer to do it was (more than they knew of) particularly beholding to R. H.; so that pausing on what he was to execute, R. H. escaped then with being imprisoned at Hereford, Gloucester, so sent up to London, and plundered of all his horses, for R. H. kept himself in an equipage fit to have served his King with.

"The next opportunity was your Majesty's going into Scotland. R. H. held correspondence then for your service with that good man Sir Edward Massie; notwithstanding all their care and using the best characters they could invent, their letters were intercepted, and had not Dr. Wallis been chaplain to the Lady Vere, aunt to R. H., and so out of respect to her did hide the true disclosure of the character, R. H. had then undergone the same that others suffered. Their distress at Dunbar now hastened with such despair to them that R. H. was again plundered and imprisoned in the Castle of Bristol, and with others left to the mercy of the soldiery, had not that victory happened which saved more lives in England than it lost in Scotland. Next was the business at Worcester, where, if great haste had not been made, you had more company.

"Now imposture triumphed; but R. H. knew all this was art, and that the impostor himself tottered in his own heart; the drink of his success made him snort and prance; but every shadow seemed double and grew into treasonable apparitions, so that he routed his own commonwealth. Now and here R. H. confesses that out of design to your service he began to moderate in himself the disdain and horror he had and constantly expressed towards these fellows, and supposed they might be used; and it being often easier to reconcile enemies than friends: and finding them truly irreconcilable, R. H. confesseth he did engage himself and was partaker in all the most secret and open counsels that were against this impostor, and that he refused no pains nor hazard that tended to his ruin . . . While other things were preparing, seeing the horse's tail could not be pulled off at once, that there was not a day . . . in which he did not pull some hair or other out of his train; so that he grew into great confidence with the routed people; besides they knew that Oliver had invited R. H. to be his bedfellow and friendly companion, which R. H. refusing gave assurance of his constancy

and of the disgust that the other had to see his greatest kindness despised. . . . These things gave him power to interpose in their counsels and to bend them so as to have your thanks.

"Now the designs of Saxby came towards an execution, the particulars of which are well known to you. R. H.'s part was to endeavour the elections of the parliament which was then called to be such as might most perplex; to get such persons to be in town as might countenance, sway, and turn to the best what was hoped to happen.

"That R. H. was not neglectful nor unsuccessful in this he might call to many witnesses: he will name none but one for all, the Lord Hollis, and a particular passage. The assault of the person was left to Saxby and those whom he chiefly managed. Where and how the pretended dignity and power should be attempted was much disputed. R. H. having devoted his heart to your service, made the strictest enquiry he could of your person, and by all enquiries receiving such characters of you as inflamed his duty into love, R. H. thought nothing more for your service than that a true account of you might be published so as most to be believed; therefore R. H. advised that Bradshaw, that Pilate, should in parliament fall upon the person of Oliver by comparing him with you, and to show how, if *a single person* (as the term then was) was necessary, you, above all persons, was fittest, not only from your right of birth but qualifications of your person and excellent temper of your disposition; of which R. H. gave him such particulars that Pilate grew in love as well as fear; would fain have washed his hands, and did in parliament most admirably speak, rightly magnifying you and vilifying the other, so that he never held up his head, but ate his own heart-strings in two; and the whole land rang of the sweet savour of your praises, liké at an apostle's sermon thousands were converted. Spite made Pilate speak, but R. H. joyed at the foreseen and hoped success. During these transactions, Saxby, Massie and Wood solicited on the Duke of Buckingham's behalf, which was engaged in by R. H. as a medium to other things, and that it was so R. H. has the most noble Earl of Oxford for a witness.

"R. H. nevertheless confesses he had other subordinate reasons which moved him to endeavour some service for the Duke," on account of the relationship and long standing friendship between their families. "It was accomplished. R. H. was sent to Tower; and within the year the man Oliver passed the Stygian lake by a surfeit he took tiring and over-gorging himself on his own liver, whatsoever others may say.

"And now the heavens were fallen and every fool ran to catch larks, but went an hungry to bed; and Richard appears and calls a parliament. Those whom you entrusted for your affairs called R. H. to advise with them. They acquainted him with the assurances they had from Richard that he would do all for your service, and that therefore all your friends in that parliament should endeavour Richard's support, and all industry to be used for him and all trust him; but R. H. was of another opinion, and this way was likely for ever, at least for a great while, to put

your affairs out of all hope, for a little ease (everyone was so tired,) would make all persons acquiesce under any settlement, and things established would be hardly moved; therefore R. H. advised that Richard's ruin was wholly to be intended, and by no means to suffer him to have an establishment by parliament; for R. H. knew that all Richard's pretences to your service were not only beyond his power and management but very false and feigned, of which falseness, with much ado, R. H. at last convinced those you entrusted by the means of Harry Fitzjames. . . . All being now convinced, it was resolved to encourage all that might be the Commonwealth party against Richard. Herein R. H. was not idle and had the luck to pull out the right stone, which made all that building; for it coming to his knowledge that there was a charge of high treason engrossing against Major-General Desborough, R. H. set all his correspondents in the army to make their address to Desborough for protection against Richard, and did himself go (having before ingratiated himself with him), and show Desborough where he might find this charge, which he finding that night he resolved, and next morning with force brake that Parliament and outed his cousin Richard. In this there were some not unpleasant particulars for leisure; and for behaviour in these things I keep as my greatest treasure your letters of commendations and thanks. Now came in the Rump, and best, for of most abhorrence to the nation: so great it was that everyone hastened into arms to defend and revenge themselves. The designs that were laid for you were so apparently betrayed that all your true servants were at loss what to think, much more to do.

"But the success of Sir George Booth made all strive to make something of it; but with little hopes, seeing Lambert so well prepared was marching against him, unless that march might be diverted, or at least retarded. All other imaginations failing, R. H. undertook it, and stayed it fourteen days. The past conversation as related that he had with those people came him opportunely to know things amongst them as soon as they first appeared; and so he came to know the repentance of Desborough for outing cousin Dick and the transaction between him and Lambert for bringing him in again, and how they had sent to Richard to come out of Hampshire to Hampton Court to make up the bargain to turn out the Rump. This R. H. acquainted some of the Rump with, and did himself before their Council confirm [and] testify that Lambert and Fleetwood had sent for Richard, which had the effect to stay Lambert some days, but procured to R. H. imprisonment and many threats.

"Sir George Booth's business being over, Lambert with the army returning, the seeds formerly sowed sprang afresh to the turning out the Rump. Then indeed R. H. was not negligent in using his utmost endeavours with divers officers of the army, both horse and foot, to engage themselves to choose the Lord Fairfax General, and to join not only for the recalling the Rump but the secluded members, and to endeavour by a free parliament that which everyone desired, a settled peace, the

English of which everyone understood as best liked themselves; but if accomplished your servants doubted not of their success. When R. H. had engaged a considerable part of the army to this purpose it was thought fit that the Lord Townshend and R. H. should then, though depth of winter, (Lambert being marched against Monk,) go to the Lord Fairfax to procure him to join in the same resolutions. Both those who were entirely your servants and those of the army knew that the Duke of Buckingham was then at York; the Lord Fairfax at his house by York. Both one and the other were peremptory that neither the Lord Townshend nor R. H. should acquaint the Duke with our business, nor the Lord Fairfax, till he had promised not to acquaint the Duke in [the] least of what was treated. Their reasons I could not learn, but suppose them to proceed rather of envy or fear of being eclipsed by him than otherways well grounded. The issue of it was that Townshend and R. H. following their instructions, and Fairfax engaging and performing the same, the Duke of Buckingham took it so ill from R. H. that it is doubted the Duke has not forgiven that unto R. H. this day. How the Lord Fairfax appearing in arms brake Lambert's army, Monk was always just in declaring; only let it be said now that no person was so positive to declare absolutely for the King as Fairfax. When Townshend and R. H. left Lord Fairfax, at Doncaster they parted, Townshend through the East parts, and R. H. through the West parts, to meet at London. The day as they met in London the Rump returned to their old sessions in Westminster, and the general resolution of going into [*sic*] encouraged the Lords and Commons that were secluded to consider now or never the common security. So they met and sent R. H. to Monk, and, if possible, to meet him at York with Fairfax. Though R. H. did ride night and day in bitter frost, yet Monk was come to Mansfield on this side York. There R. H. was kindly received by him with great respects to those that sent him; else full of reserve. Some doubted Monk, but others not, who knew that Monk had permitted things so far as that he would now be forced should he (*sic*), yet it cannot be said but Monk was in great doubt whether the present time was fit to perform what he might well intend.

"From Mansfield to Nottingham R. H. marched with Monk. There was much discourse between them. Monk at last granted these things: that he would march no longer in the head of a single regiment of horse, but join his foot and horse together; that as he marched he would send the suspect troops and company which were named to quarters far from London; and that he would stay some days at Nottingham to take physick, that the country might have some time to address themselves, whereby he would be encouraged in any good resolution.

"At this time likewise R. H. received letters from your Majesty of commendation, thanks and promise. After this time everyone tells stories, what great things they did for the King. It was not long now before Monk called the secluded members into the Rump, upon which some regiments of horse and foot about Bury in Suffolk began to draw to an [head ?]. To suppress them R. H. went a lieutenant (and will always think it honour to

be a powder monkey in your service.) That being over, the several regiments of horse and foot that were quartered on both sides the river Severn were justly suspected to have some design to join with Lambert, could he be got out of the Tower. Monk gave unto R. H. the command of all these. With great dexterity did R. H. manage them, so that not above sixty of them met Lambert at Edgehill, though there were out of those parts above 4,000 of the old army engaged to him.

"As soon as I returned to London, Monk sent me to your Majesty to Hague to desire your speedy coming to London; and not without reason. About this time R. H. brother was sent to Dunkirk. R. H. had such correspondence as he did not doubt of securing that place to your service, should anything have fallen out amiss. May you never be served worse than you were at Dunkirk. . . . Nevertheless R. H. asks pardon for all; for were he to do anything again, sure he would mend it.

"Now the Earl of Clarendon brings information to your Majesty that R. H. has meetings in Bow Street with divers Commonwealths [men] to disturb your peace. This is surmised in secret, but R. H. not suffered to vindicate himself. Then R. H. being sick, his regiment is sent to Tangier, and he appointed to be youngest Colonel. Before his recovery his regiment, being 1,200 choice men, the most part of them were poorly and foolishly destroyed by the Moors. Then his regiment was reduced, and your Majesty was graciously pleased to give him the keeping of your seals for the Caribbee Islands, which place would he could enjoy. Touching that voyage, the height of the place made the Lord Willoughby's head giddy, and the heat of the country his brains addle; so that although you cherished him under your wing, . . . yet nothing was hatched. God at last openly declared him addle, when he threw [him] out of His hand against the rocks, by the stink he left in everyone's nostril. R. H. says that he was forced to leave those hot countries in a fit of the gout; that suddenly into a colder climate it struck into his bowels.

"R. H. with the opportunity got to London to know of the great Earl of Clarendon what ground he had to make such a report of me as he did to your Majesty. His answer, that then he could have done [no] less, had [it] been of the King's own brother, but that the King and he too knew it was altogether false; that they had a very good esteem of me, and knew that R. H. was very much wronged; and that I should have recompense made me; that they were some of R. H.'s old acquaintance that made the information; that indeed all R. H.'s friends said he was an undefatigable person in what he undertook; and, therefore, he said he was afraid of him.

"About this time it pleased your Majesty to speak at large to R. H. about the difficulties this great man raised in the House of Commons. My Lord Arlington was pleased to employ me in helping to remove some [of] them. He will witness that R. H. hit on the right way, which had the success desired. R. H. could not go through all these transactions without expenses, so that two years since he was forced to sell his estate to Dr.

Williams to pay his debts. What remained he laid out in buying a receiver's place of your Majesty's fee" [farm rents].

The rest is missing.

Several Loyal Subjects called Nonconformists.—Petition to the King.

[1674?]—"Because we have been apt to be misrepresented to our former kings as disaffected to the Government, we humbly declare that we are ready to give assurance of our loyalty to the late Oaths of Allegiance and Supremacy, and the Antipapal Test, when we shall be called to it.

"And forasmuch as it is ordinarily said of us that we can never agree, and know not what we would have ourselves, we humbly profess our hearty willingness to unite with the Church of England upon the condescentions desired in this paper annexed to this petition, and shall add to the former Oaths and Test this declaration ensuing:—

"*I, A. B., do heartily approve of the Reformation made by the Church of England in her doctrine and worship as containing all things necessary to salvation: and I promise faithfully in the exercise of my ministry to preach that doctrine, and use that worship, and submit to her government, as they are by law established, so far as I can with a good conscience.*

"Upon the hopes that this will give content to both Houses of Parliament, we cast ourselves at your sacred Majesty's feet imploring your royal grace and favour to intercede for us with them, that we may by your means be restored to our ministry, and thereby put into a capacity of more usefulness towards God and serving your Majesty."

Annexed—"The terms of composition.

(1) "That no other oaths or declarations be imposed besides the within-mentioned, unless the oath against simony.

(2) "That consequently the two declarations in the Act of Uniformity, the Oxford Oath, the Oath of Canonical obedience, the subscriptions in the Canons, do cease, or be repealed. [*This article is erased.*]

(3) "That a licence to preach shall not be needful to any after the imposition of the hands of a bishop upon him.

(4) "That those that have been ordained by Presbyters shall have the bishop's hands laid on him (*sic*) only by way of prayer, for the recommending him to the grace of God for fulfilling the work of a special charge to which he is called.

(5) "That the use of the surplice, the Cross in baptism, and kneeling at the Sacrament be left indifferent to the minister and people.

(6) "That no minister be troubled for the withholding his own act in delivery of the Sacrament from any he judges notoriously unworthy or unfit for it.

(7) "Nor for suspending his reading the sentence of excommunication against any of his parish, until he be satisfied in the case that his crime deserves it.

(8) " And chiefly that the Common Prayer may be read by ourselves or our assistants, reserving a necessary and just liberty for conscience in any matter or words which a man himself esteems unlawful (and so to him it is sin); and also for prudence in the whole management, to act with respect to time, place, and circumstances, so as appears most conducive to edification. And so long as the main body of the service is read, and substance of the offices be performed, it shall be sufficient to conformity. But if the main body of the said service shall be ordinarily omitted for the space of three months, in such case it shall be in the power of the bishop to put in a reader, and allow him a salary out of the living, not exceeding a fifth (*or* third) part." *Draft.*

RICHARD DERHAM, Esq.—Petition to the House of Commons.

[1679, March 27.]—Complaining that at the recent election for New Radnor borough, Sir Edward Harley, who stood against him, induced the bailiff to hold the election early in the morning only three days after the said bailiff received the writ, before the Sheriff's precept had reached the voters in the out-boroughs, and was returned as member. He prays that the case may be examined.

DEBATE IN THE HOUSE OF COMMONS.

1680, Tuesday, November 16.—" The House being set, they continued looking on each other without saying anything for near half an hour; then a motion was made for sending for all the members by the mace, and the House about eleven of the clock being very full :—

" Sir John Hotham told us we ought to consider the deplorable condition we are in, and moved that we might adjourn till to-morrow, so that gentlemen might have some time to consider with themselves what to do, now the Bill of Exclusion had failed in the Lords' House. Which motion being generally assented unto, the House forthwith adjourned till next day eight o'clock; which day (November 17th) being appointed for consideration of his Majesty's message relating to Tangier, the order being read :—

"Sir Nicholas Carew moved that as long as Popery hung over us we could do nothing, and we ought to represent our condition to the King, and that when we had secured our religion and property, we should be ready to do any (*sic*) that might make the King happy and great.

" Sir Wm. Jones. I am sorry that a supply for Tangier is moved for at so unseasonable a time. I confess that Tangier is of great moment, but we have that now on our hands which is of greater moment than ten Tangiers put together; and the considering of that before we are secure at home is as if when an enemy is landed we should afterwards go and fortify the coast of Kent. Being told by his Majesty we should secure

ourselves against Popery by all the ways not meddling with succession, and should rest there, we are prevented of what is a prevention. Your providing for Tangier will be a weakening of our security. When Tangier was put into the hands of the English first there was an article that there should continue a Popish church. The religious belonging to it were to continue during their lives, but not to be replenished with new; and if it be inquired into I believe the number of them will be found not to be decreased this day. 'Tis not long since there was a Popish Governor there; many Popish soldiers are lately gone thither from Ireland. 'Tis not a little sum will do what is needful there; and if it should be a considerable one that should be given for it, it may be made use of to raise an army here; so that if we run into a great inconveniency by providing for it, I think we ought to consider well of it before we do it, and yet I am not for sullenly saying we will raise no money, but for clearly stating the case by an address to the King.

"Lord Hide.* I am only to acquaint you that Tangier is not to be maintained without your support.

"Mr. Hambden. All things are to be considered comparatively, and if it be made an argument against the Duke's bill that he is at the head of an army in Scotland, and that in Ireland there are ten or fifteen Papists to one Protestant, has great influence in the Fleet, and, being Admiral of Tangier, a seminary of Papists, then sure none have special arguments to take Tangier into your consideration; and money may be for that service; but on this parliament do not ask petitions of grace but right. And will you part with your money without any security? You have often done so, and what are you the better for it? I long for the time when we may give the King money to make him great; but if things go on as they do, I am for a plain bargain, and to know what we shall have for our money. For my part I only desire our security; but, if you should give money, I suppose you will take care what hands you put it into; and there ought to be a trust. Let us address his Majesty.

"Mr. Harbord. We are told Tangier is of importance; it is a nursery of Papists; and we are likewise told the Irish sent thither are part of the Irish army, and they took the oaths; that is no security. Was not my Lord Bellassis Governor of Tangier, Hull and the Pensioners Captains all at a time, and took the oaths? The soldiers, for aught I know, may be brought hither, and the asking a supply for it at this time is made unseasonable because parliament have been put off two or three years; and whilst there are people near the King that dare make a difference between him and this House, we can never be safe. Pray let us address his Majesty as boldly as may stand with good manners. 'Tis not to be endured to see the Duke thus preferred before the King, as he was, if arguments of greatness and power are arguments strong enough to hinder the bill. He has violated the laws, and we need not

* Probably a copyist's mistake. Laurence Hyde was not made a peer until 1681.

have gone this way to work if we could have had justice against him; but he is too great for that. Let us address his Majesty.

"Sir Tho. Player. I spoke the sense of the City formerly, and do so again now; and, in the name of the greatest part of the commonalty of the City of London, do declare that we are ready to give half the money we have; nay all, and be content to set up again to get new estates, if we may be but secure. Burning of London, justly laid upon the Papists, and keeping watch since the plot has cost the city about 100,000*l*. The City of London is the bulwark of our religion, and is it not said the Duke is at the head of thirty or forty thousand men? The Lieutenancy and Justices, how are they moulded for their turn? And if we do nothing now in this House, we must all, without any more ado, try to make our peace with him the best we can. I'll never do it, and will you, for the sake of one man, destroy three kingdoms?

"Col. Titus. We discoursing of Tangier at this time is like Nero fiddling when Rome was consumed with fire. If it be in a good condition we cannot help it; if it be in a bad one, we are not in a posture to help it. Pray consider the condition by what is past: when King Henry the Eighth was for supremacy, the nation was for it; when he was against it, the nation was against it: when King Edward the Sixth was a Protestant the nation was so; when Queen Mary was a Papist the nation was so; when Queen Elizabeth a Protestant the kingdom was so again *Regis ad exemplum*. The bidding us prevent Popery and let alone a Popish successor is as if a physician should come to a man in a pleurisy, and tell him he may make use of any other remedy but letting of blood; the party must perish, that being the only cure. And I believe in King Edward the Sixth's time the bishops themselves would not have been against throwing out such a bill as this is; and if King Edward had promised in favour of the Protestants, that he would have done anything for the preservation of religion, so that Mary might succeed, the Pope surely could no ways have obtained so great a favour. I am not at present for giving of money, that being to the State as food is to the stomach; if that be clean it turns to good nourishment; if it be out of order, it breeds diseases; and so it is in the State, if it be not in order too. We have been often deceived, and by the same men. Was not 200,000*l*. given for the Fleet in 1673 and 1674? And was any of it employed that way? Money given for an actual war with France employed for a dishonourable peace; never so many admirals, and so few ships to guard us; never more Commissioners of the Treasury and so little money; never so many councillors and so little safety. Let us address his Majesty.

"Lord Russell. I'll never be for the giving of money for promoting of Popery, and a successor a public enemy to the King, and a slave to the Pope; and whilst he hath eleven to seven in the Council and sixty-three to thirty-one in the House of Lords, we are not secure; and if my own father had been one of the sixty-three, I should have voted him an enemy to

the King and kingdom; and if we cannot live Protestants, I hope we shall die so.

"Sir Henry Capell. Let us redress our grievances, and then, and not till then, Tangier. Tangier never was, nor never will be, a place of trade. Tituan and Salley so near, they will never trade with us to destroy themselves, and can never be for our advantage; and I have many years wondered at the Council that have been for the keeping of it; and am of opinion that Popery may be aimed at by it, and that all councils are managed at Rome, from whence I saw a letter to a friend dated the 21st of October, with the heads of the King's speech to this effect:—*That his Majesty would command them not to meddle with succession. That he would ask for no money. That he would stand upon the confirmation of my Lord Danby's pardon; and that the keeping of Tangier was to draw on expenses; and was it not, he could command the blowing it up.*

"Sir Tho. Lee, for a representation.

"Sir Francis Winnington. I remember before the last sessions of parliament there was a Council held at Lambeth, and there hatched a bill against Popery. It was for the bringing in the children of a Popish successor (which admitted the same thing), and it was called a Bill against Popery; but we called it the Popish Bill; and it was laid aside. I am for the Church, but not for the Church of the late Bishop of St. Asaph, who on his death-bed (good man) could hardly forbear declaring himself, which his epitaph did (*ora pro anima*), which he ordered to be read upon his tomb. We were told the other day that we ought to make the Duke of York a substantive, for that there was less danger of a general without an army than an army without a general. But I have read in Pliny [*sic.* Livy] which was most to be feared, an army of lions with a hare to their general, or an army of hares with a lion to their general: and, it was concluded, an army of hares with a lion to their general was most to be feared of the two. If his Majesty is enclosed by a sort of monsters whose idea is to destroy, I hope to move against them; and, though we have lost our last bill, I hope we have not lost our courage and hearts.

"Sir Wm. Temple. His Majesty desires your advice and assistance 'tis seldom, which is very kind; and though you should think fit not to give the latter, 'tis but mannerly to give the first; and I hope you will not resent any injury (if there were any) done by the House of Lords or the King, who, though he cannot cure all in one day, he can ruin all; and I must acquaint you there is a very great weight abroad laid upon this sessions of parliament, and upon the agreeing of the King with the people, upon which depends the welfare of the Protestants abroad, and I hope you will not go about to remonstrate now.

"Mr. Deering. If you had sent the Duke's, Lord Craven's, and Lord Mulgrave's Regiments to Tangier, it would supply that place with men, and disbanded the Lord Oxford's Regiment, and the money on these employed would bear much of the charge of this.

"Then the House resolved to appoint a committee to draw up an address upon the debate of the House to represent to his Majesty the state and condition of the kingdom in answer to his Majesty's message about Tangier.

"Mr. Montague then stood up and accused the Lord Halifax for counselling the proroguing the late Parliament, and the House seemed then very unanimous in being willing to vote an address to remove him from his Majesty and his Council for ever, which was accordingly done. Then the House adjourned."

Sir JOHN EDWARDS, Knight.—Petition to the House of Lords.

[*See* H. of L. Journals for 1680, November 22.]
Also his case against Mary Howard. *Copy.*

THE SHIPS *Bonne Esperance* and *Henry Bonadventure.*

[1680?]—The cause of these two ships [which had been seized by the Dutch in the East Indies] was determined in 1649 for the sum of 85,000 guilders, which was actually paid, but—as is alleged—to the wrong man, Jacob Pergens, who had a procuration, instead of Paul Pindar, who had an older assignment. The action continued after the treaty of 1654, and in the treaty of 1662 was specially excepted from the settlement; but was included in the treaty of 1667, when it was declared that all the pretensions respecting it should be void, forgotten, and abolished; that all commissions and letters of reprisal were revoked, and that any person who, under pretence of authority of such a commission, should commit hostilities, should be punished as a disturber of the common tranquility. This was confirmed by the treaty of 1674; but, in July 1677, George Carew, with some others interested in this cause, complained to the King of the damage they had suffered, their letters of reprisal being granted, as they pretended, irrevocably. The King appointed a day for hearing them, whereupon Carew and those associated with him gave public notice of it, by printed advertisements affixed upon the Exchange of London, summoning Heer van Beuningen, the Dutch Ambassador in London, to appear either in person, or by his advocate. Heer van Beuningen took this as grossly insolent and complained to the King; whereupon Carew was arrested, all his papers seized, and he was ordered to submit himself to Heer van Beuningen, which he accordingly did, humbly begging pardon both by word of mouth and by writing, which the King ordered to be printed, and to be affixed at Whitehall, the Exchange and other places.

After this, Carew and his associates fitted out a ship to go a-privateering against the Dutch by virtue of his old commission, and captured a ship; but, being themselves taken, they were brought up before the Admiralty; when the petty jury brought them in Not Guilty, seeing that they acted *bona fide*, by virtue of a commission. So Carew and his fellows, going

to sea again, seized a ship having on board the baggage of Heer van Beuningen, then crossing over to Holland. On this the King again declared in Council in May, 1680, that the letters of reprisal both general and particular, and especially those of May 27th 1665, were, by the treaty of Breda, as well as by that of Westminster in 1674, repealed and made void, and that any persons using the same should be proceeded against as pirates. And this was published as a proclamation, and also in the *Gazette*.

The persons interested maintained that the King has no power to make void letters of reprisal granted as these had been; but as the treaty of 1674 had been approved by parliament, to parliament they carried their complaints; and, getting no relief there, they now endeavour to get it from the Dutch East India Company, though without any grounds or foundation.

To this must be added that in 1676, Mark Fletcher, an Englishman dwelling at Middleburg, on behalf of Paul Pindar, sued Jacob Pergens before the Schepens of Amsterdam; that Jacob Pergens complained of this to the States of Holland and West Vriesland; who, thereupon, wrote to the Schepens, ordering them not to receive in court, hear or admit the said Mark Fletcher, or any one else in the cause, declaring that the moving of the action is a manifest contravention of the treaties of 1667 and 1674.

THOMAS, EARL OF DANBY.—Petition to the King.

[1682,] December 20.—Having been a prisoner above three years and a half in the Tower of London, he has during that time been three times by *Habeas Corpus* before the Court of King's Bench to move for bail by reason of the indefiniteness of his imprisonment. On two of these occasions the justices took further time to consider his case, and the third time two of them refused to bail him; a third said *he was not satisfied in his judgment that petitioner could be bailed at that time*; and the fourth said that *his commitment by the House of Lords being only until he should be delivered by course of law, it would be a failure of justice if he were not admitted to bail.* Considering therefore this difference of opinion, and that the King's prerogative is greatly concerned, and that there would not only be a defect in the laws if he can have no relief, but also in the royal authority and the constitution itself, "of which there is none in the world without power in being at all times to give relief to their subjects when it thinks fit;" he prays the King to command the judges of the said Court to advise with the rest of the judges, "as has been done in cases of less consequence than this of petitioner, and particularly in the case of Harrison and Burwall lately depending in the Court of Common Pleas, which concerned the jurisdiction of the Ecclesiastical Court," wherein the advice of all the judges was had by the King's especial command. *With a form of recommendation from certain peers.* [*No names given.*]

Endorsed.—"Petition . . . which Lord Lomley managed and endeavoured to get several peers to subscribe. Sent to the King by the Earl of Danby about the 20th of December [1682]; and after full deliberation upon it his Majesty thought fit to suppress it." *Copy.*

CORPORATION OF BRISTOL.

[After 1683, November.]—List of names of those who voted for the surrender of the Charter of Bristol. 26 *names, including*

"Sir William Clutterbuck, Mayor, who desired it might be an inscription on his tomb that he was Mayor and delivered up the Charter;"

"Sir Richard Hart, Knt., who brought the Charter up to the King."

"George Morgan, who of late gloried in it."

"Sir John Knight, who solicited the matter from the beginning, and was knighted for it."

"John Romsey, Town Clerk, who was very active in it."

NAVY PENSIONS.

1685.—"Pensions and half-pays borne on the charge of the Navy, 1685." *Including* 100*l.* to William Vandeveld, senior, for taking and making draughts of sea-fights; and a similar sum to William Vandeveld, junior, for putting the said draughts into colours.

SCOTLAND.

1687.—"The state of the Scots Treasury in the year 1687." Showing a balance of 17,003*l.* on the credit side.

TREGONY ELECTION.

1689, April 6.—Indenture made between the Mayor and burgesses of Tregony, co. Cornwall, and Robert Harley, returning the latter to serve as burgess in Parliament. *Copy.*

POPISH PRACTICES.

[After 1689, May 11.]—Address of "many lovers of their country" to the House of Commons.

"You have the seal of these nations in your hands, and though you have provided useful laws for the security thereof, yet those unexecuted signify little, as may appear by the Act obliging all Roman Catholics not being old inhabitants to withdraw ten miles from the City of London. And though this Act was backed with a proclamation from the King, yet by the remissness of execution there are at this present three times the number which were here before the said Act and proclamation, so that at the Chapel of Somerset House every day, but especially on holy days, there may be seen, besides those who belong to the Court, many thousand strangers who are only

lodgers in this town. Nor can it be otherwise unless this honourable House shall think fit by some new act to oblige all of that religion, like the Jews at Rome, to wear a mark of distinction on the crowns of their hats visible to all men, which said mark shall be a protection for them against any insolence from the mobile. And for want of such mark, viz. a cross, etc., all persons neglecting it shall be outlawed and liable to be attacked by any man knowing them, and committed to gaol without bail or mainprise other than such condition as this honourable House shall think fit.

"That it may also be inspected how many ill men came to be in public offices of trust and profit, and who they be that take bribes for procuring thereof, and for dispensing with the execution of laws.

"That it may be considered by what advice so many thousands of foreigners are daily coming into England, who charge the nation for their maintenance, when thousands of English Protestants are starving in the streets for lack of trade; who would gladly serve their country, but can receive no entertainment."

——— to HENRY POWLE, Speaker.

[1689, October 6?]—Finding that the nation means to pardon such "small offences" as running the nation into popery and uprooting the ancient constitution and that King James is to be "the only scape-goat run into the wilderness with the sins of the whole nation," it seems reasonable that an act of indemnity should also be passed in his favour. "Therefore as an honest man . . . I have sent you ready drawn a bill of indemnity for him as well as the rest; . . . . . and if you find any boggle at it, as some may do, get but a balloting-box, and I dare warrant the major part of the House will be for passing this good bill."

Minuted.—"This was left one night in the Speaker's chair, when the Act of Indemnity was to come on the next day."

Annexed is the bill referred to. *Copy.*

PROCEEDINGS in the HOUSE OF COMMONS.

1689, October 28.—Earl of Castlemaine brought to the bar.

Mr. Speaker. "My Lord Castlemaine, the House have sent for you to attend them here, and have commanded me to acquaint you that they are informed you went upon an employment which was unwelcome to them; that was, Ambassador to the Pope. And they have great reason to think it was to reconcile this kingdom with the Church of Rome, the highest crime that can be committed; and that you have sat in the Privy Council in the late King's time without taking the oaths and test prescribed by the law, which has been a violation of the laws of this kingdom: and therefore have sent for you here to know what you have to offer for your own defence."

Earl of Castlemaine. "Mr. Speaker, I suppose everybody may imagine that I am in some confusion to be here as a criminal at your bar; and this disorder must increase a little

more because in my whole life (and I believe not a few of this great House have found it) the glory and welfare of England has been my great aim and whole design of my life.

"For the questions that are imposed upon me I have not time to answer them really and strictly; I have not. But I know the goodness and candour of this House is so great that if I err you will not take exception at my words, nor any confession that I do make shall be laid to my charge. For I would willingly inform you of everything; and had I known what your commands would have been, I would have been provided; yet, knowing that your time is of concern, I will now satisfy you what I can, and in this place tell you all I know, and always all that you will please to command me.

"My going to Rome, I confess, is a thing apparent, and if it were more concealed I would not deny it. What I do may be an error in judgment, but it shall not be an artifice; and perhaps, when you hear what I have to say, you will not be so angry as otherwise, for I know the candour of your judgment.

"Everybody (at least all that belong to the Court) knows it was none of my seeking, but I did refuse it and very much desired to be excused from it. I had a great many reasons to do it; amongst the rest I had been at Rome at several times when other travellers were there. I knew the great expenses of such an employment; and I knew the King's allowances to Spain and France, and what I was like to have. And therefore, knowing the dignity of England was to be maintained;—for, though England be a Protestant kingdom (and I thought it could not be grateful to them as such), yet I thought if I had gone to Turkey, where the Mahometan religion was professed, or to China, where the pagan religion is professed, that care of the dignity of England ought to be taken; and what I did was not for the honour of the religion, but for the honour of England. And knowing these expenses would fall upon me, I had reason to waive it.

"I never knew of the King's pleasure nor of his commands till I came from Wales; and no sooner was I at my house than a man of great condition came to me and told me I must presently come to Whitehall. I had hardly so much time given me as to pull off my boots, but I must wait upon his Majesty. Before I came to the King my Lord Sunderland told me what he thought was the King's command. I told my Lord Sunderland I desired him to shew that friendship to me as not to let me go; but he told me the King was fixed upon it. I waited upon the King, but he delivered his commands to me, and told me I must provide very suddenly to go to Rome. I desired he would be pleased to think further of it; but after some discourse together, he told me I must go.

"Now, I will leave it to this assembly to consider what you would have me do. I knew I was master of the inconveniences that belonged to myself, and therefore I submitted to them. I knew what would fall upon me thereby. That which was my greatest concern was whether it was an offence against the law; and I never found, by any book or writing that I saw,

that it was; and, therefore, having not been informed anything of that, I hope I am the more excusable in it. And, with humble submission, I have been thinking over and over again (I do not speak it to hinder anything of the legislative power), yet I never saw that there was any law, or that there possibly can be any law made against it. And the reason is this: since the Pope is a temporal prince, and a great prince, and we may necessarily have something to do with that principality. He is great upon the seas; there may be accidents of concern; ships thrown upon that coast; and injury may be done to persons travelling into that country. In places where war is proclaimed with the greatest prohibition of commerce, yet the King has power to send a messenger. Therefore I will not speak as to the motives that made me go, but what were the motives that made me think this could not be a crime. Now, I must put it therefore upon this; this was my judgment and sentiment: and I call God to witness I thought it to be so. The King commanded me to do it, and I knew nothing to the con [trary] but I might do it: what would you have me to do? I knew the King could command his subjects, and that there were penalties if they did not serve the King in embassies, and in our own century too.

"Now, I had no manner of guide, and I never thought this could be ungrateful to any religion. Besides, if anything could be ungrateful, I was but a letter carrier; and any consul or factor that writes every day (if this be a crime, and till this moment of time that you told me I did not know it), every factor may run the same displeasure of the House, if there be such a law.

"Mr. Speaker, I am not given to speeches. 'Tis a thing I have no faculty in, nor am used to it; and therefore, if I do sometimes run into disorder of speech, I hope you will not be angry with the method I take for speaking as things occur, and your goodness will supply the want of artifice.

"I say, that being commanded by the King on the one side, and not knowing any injury on the other, and if there could be any injury, it must be in matter of religion; it must be to treat of religion. And I never went about religion. I went only as the King's servant; as the King's minister upon a compliment, an usual ceremony that is between all Catholic princes. If the King had not been a Catholic, it might have been an artifice; but he was declared so, and I went about a mere ceremony, which all Catholic princes do make some time or other.

"Now, to show you that I did not meddle with religion, I must appeal to persons privy to my embassy, and to all those gentlemen that have ever travelled at Rome, and know the constitution of Rome. For nothing can be kept secret; but, for a dish of coffee or *lemniado* you may know what any ambassador does. I am sure I have found it so by experience; perhaps sometimes when I have thought to make a mystery of it, and I have gone but to the next shop and heard every word almost I have said. This is the custom of Rome.

"I have one thing more to confirm what I say. I do verily believe (and I am sorry I must declare it here) that I am of a religion not agreeable to this House. I have no temporal ends for it, but I have had a pardon and an Act of Indemnity; the solemnest Act that ever passed next *Magna Charta*.

"Now, if I confirm it to you that I had no intrigue, no trick, nor no private cabal (though I do verily believe, and am confident that his Holiness the Pope, and the cardinals and the rest of the Court of Rome, did not at all doubt of my religion that I was a Catholic), yet I must tell you this: there was not one of all the Court that did think the immunity of England, the glory of the crown, or the temporalities of England were to be touched. They know there is not one of the reformed religion could be harder upon that score than myself.

"Now, though I do profess myself to be a Catholic, I have no prejudice to any other; but I must name one precedent to you, because it was in my own time; and that was concerning the attainder of the Regicides. It is Axtell's case. There is nobody but knows the horror I have of his action, but I speak it for the honour of the judge, and for this noble assembly. I remember Axtell, when the greatest treason was laid to his charge, gave this answer: says he, *I am* (to this sense, for I think I have not read his trial since his execution, but his words were to this effect,) *I am, my Lord, in a miserable condition; a most unfortunate man; my case is very hard: I was a soldier; I was under military command, under martial law. I am brought here for treason because I was at Westminster Hall, because I commanded the guards the day of the King's trial; and here I am accused for that which I should have been hanged if I had not done.* It was answered: *Mr. Axtell, you have made a strong argument, and upon this account his Majesty's grace and favour would extend to you. For 'tis not his Majesty's pleasure to execute justice upon all his subjects that have gone astray; his Majesty's mercy extends to this, and we never intended to make use of that against you; and therefore upon that account your argument is strong. But, Mr. Axtell, did you do no more? Did not you incite the rabble against that gracious and great man? Did not you call for justice, and make your soldiers cry out for the same? Did not you abuse a virtuous lady that out of a transport of zeal called you infamous names?* This was proved against him and his argument ceased. Now, did I any more than this? Yes, I did; I was a refuge to all persons. Anyone that had any business there found me ready to assist them. If mariners ran away from their ships, or merchants or captains complained of the mariners, I endeavoured to do them all right. This was not all: the whole factory made application to me upon all occasions; and if they had any business, they had not only a ready audience, but my indefatigable labour to serve them. I think I was both civil and successful, and had their thanks for my readiness to serve them, and also of the greatest Company now in England, I mean of the Turkey Company, for I did

them a very remarkable service. This, I say, was the way and method I took. I knew the dignity of an ambassador.

"Therefore, as to this point, having stated it as well as I can; that there was no malice; that I was ignorant of the thing itself if it be a crime, since there is something to be of negotiation between all princes; I do not see but any person may be liable to the same punishment that I have been; neither was there anything of religion I went about, but these general things. If any man can disprove anything I have said, then I desire no manner of favour from this House, but the utmost affliction that can befall me.

"For the next thing that you are pleased to mention and lay upon me, that I was a Privy Councillor to the King and never took the oaths according to the law of the land, I humbly acknowledge it here that I did not do so; that I have not taken these oaths; but this I have to say: the reason why I did not take them was because I was not offered them, and because these oaths were against my conscience; and indeed I should have refused them if they had been offered.

"This crime, that you are pleased to lay upon me 'tis a crime; and I was not ignorant that there was such a law made about taking the oaths; and as I knew this, so I confess it, and shall confess everything I know; for I desire to be above board, and to deal sincerely as I have done all my life, let it cost me what it will. That I have to say is: if I had been the first or desired it, it had been a crime; and a crime ought to have been punished as I brake a law; but 'tis no breaking of a law if there be a law that the King can dispense with it. Now, that there was I do not assert; but, whether there was or was not, I had several judges and great lawyers that were of that opinion. I saw several precedents that seemed to be plain for it. I saw the positive law about sheriffs dispensed with; and this was acknowledged by the judges to be law. I saw also a precedent of a law in my own time, made in this House, myself being a member: and that was about carriages and waggons that there was such a positive law; but it was found in practice inconvenient, and Kng Charles the Second put forth a proclamation and dispensed with it. And there was no dispute about it. I thought and knew the King had not the legislative power, yet nobody contraverted it, nor none of the judges of the long robe contradicted it, so I thought it a plain case. Now, I only tell you this, and will not trouble you with others. But I speak not only for myself; I speak for all England, for every gentleman here. What will you have me? What is it I can do in the world to be sure? The lawyers tell me the judges have declared so for law; they tell me the judges' determination is law; what ought I to do? 'Tis the judges are the masters of the law, and ought to be punished if they do not act accordingly. I am sure the candour of this House will punish nobody for doing what they cannot avoid, and have no manner of landmarks to escape. But this is not to dispute or maintain the thing, but to shew you how my case stands.

"I have now told you; that is to say, I have made a weak apology as far as my capacity at this time can serve; and have said the sense and substance of what I know: and having said this, humbly submit myself to you. I am to tell you one particular more, which, though foreign to what questions you have put, yet is something to my business. Mr. Speaker, 'tis only this, in a few words, how I came to be a prisoner and what I suffer by it.

"I was in town when the King went away, but heard nothing of his going away till in the morning some of the Court came and told me the King was gone. I thought it then not only decency but common prudence for me to go away, for I was not conscious to myself that I should be questioned; so I went out of decency to retire into the country into Wales, where I have a concern, and am often in summer time. I went to retire, not to a concealed place, but to a country where I have a concern, where I am known to everybody. As I went thither, I was first upon the borders of Montgomery[shire] stopped by the rabble. When they knew me, they brought me to a small town called Oswestry, and there brought me to the Mayor; and he was pleased to lay a warrant upon me. I being so confined, when the tumult was appeased, I asked him why he kept me there. He said because I was a dangerous person. I asked him by what authority: Says I, *Have you any proclamation, anybody that swears anything against me? Though you are a magistrate, give me leave to tell you, you are but a mean corporation. Why do you tell me I am a dangerous person, when nobody swears anything against me or lays anything to my charge? Besides all this you know I live eight or ten miles off; but, Mr. Mayor, we will not dispute of that: pray give me leave to be bailed; that you can't deny. . . . If you will not do that, and because I am not lawyer enough to assert it, send for two or three of the ablest lawyers to satisfy you.* They satisfied him I was to be bailed; yet there he kept me for seven weeks. After I had stayed there some seven or eight weeks, I was sent for up by a party of horse; and I came up to town, and have been laid up ever since, having not one witness examined against me. At last the wisdom of this House thought fit to suspend the *Habeas Corpus* Bill, and I was committed to the Tower upon suspicion of high treason. This I only speak to show you that I never ran away, but was taken by chance, and so committed to prison."

"Then the Earl of Castlemaine withdrew, and was charged with a warrant of high treason for endeavouring to reconcile this kingdom to the See of Rome.

"Afterwards at his own prayer was called in, and desired the liberty of the Tower; but the House made no order upon it."

[Sir Edward Hungerford?] to Robert Harley.

[1690,] February 12.—"We are now very full of elections against the next parliament; heats are rising, and I believe will be at a great height. If any one for this county will oppose for Knight of the Shire, I believe my Lord Cornbury

will lost it. I fear we shall lose two honest gentlemen at Sarum and one at Wilton, but we may chance to mend our hands as for one at Bedwin, Hindon, Ludgershall. I think myself as safe as a man can be that hath the greatest villain in the world to deal withal of a bailiff. At another place I can be chosen, but it will be to the keeping of a good man out and therefore I think to quit my pretensions. Upon the whole matter some boroughs will certainly choose the same, and I believe you will have five or six friends more for our county than others. The people where I serve are very angry with my brother for voting in the House, but I am engaged of a long time to serve him if I can, and I must do it; but if it prove ineffectual, I believe I can recommend a friend that is not obnoxious to them.

"As for Dorset I believe there will be less struggling there, and that your friends will be the fewer number, but not by many. Shaftesbury, Dorchester, Corfe and Bridport will have some contests in them; as for Weymouth, which sends four, I believe they will do pretty well." I shall know more in a few days.

"As for Somersetshire, no alteration there will displease you, so that we are to hope for it at adventure; the same for Bristol. Upon the whole men seem to be as angry as ever I knew them, but the fear of elections soon returning will hinder much of the expense; and if the King pleases to change our parliaments often, we shall have the people better represented and honester men chosen. We shall in my opinion lose nothing by this dissolution. New faces cannot presently fall into factions; and the weight of reason will for a while prevail. If anything be done for the public good it must be in the infancy of a parliament, especially whilst we are under the direction of these ministers. When things open plainer in the country I will let you know of them from time to time." *Seal defaced but apparently the Hungerford arms.*

[THE SAME] to THE SAME.

[1690,] March 10.—"I hope by this time the election for the place where you stood is over to your advantage and satisfaction. I cannot say so of my own where I stood, but as to the person chosen it is all one. I quitted my interest in my former borough to a very good friend and honest gentleman, who hath as ill-luck in the return as I had the last Parliament, but I hope you will be in the House to do him justice. We have had a very hard struggle in this county for knights. At last it is carried for our friend Sir Walter St. John, and Lord Cornbury is returned; but the merits of the election must be tried above. As to him and our friend, my Lord Colerane thinks he shall not fail to remove him. In that case likewise I hope you will be assistant as the case deserves. A friend of ours hath spoiled us at Bedwin from an old friendship with Lord Falkland, and I fear J. Smith hath lost it at Ludgershall for to spare the penny.

"The elections of Dorset are all over in that county. We have two friends advanced to the former number, and I believe the House will rectify a third.

"Somerset elections are not all over, but I hope we shall gain a man or two. Hampshire stands as well as it did.

"Chief Justice Holt is now at Sarum Assizes, where he hath given a very good and hearty charge. I direct this as the former and you will receive [it], I hope, in London after the election. Within two or three posts I will trouble you with some of my thoughts upon the present juncture, which it may be are probabilities, though they seem to some friends a little too paradoxical. I know you have kindness enough to read them, and candour enough to excuse them."

Robert Lock's Case.

[1690, April?—*See* Calendar of State Papers Domestic 1689-90, *p.* 568].

New Radnor Election.

1690, October 24.—Order of the Committee of Privileges and Elections to Mr. John Miles and six others to attend the Committee on November 7th, to testify their knowledge touching the election of burgesses for New Radnor. *Signed by* John Gray [the chairman]. *The names are inserted in Robert Harley's writing.*

Admiral Torrington's Court Martial.

1690, December 10-20.—"An account of what passed in the Council of War held on board the ship called the *Kent*, with the Rear Admiral Gellis Schey, Captain Taalman and Captain Swann, etc.

"On the 19th ditto, the said Rear Admiral, finding in this town only Captains Taalman and Swann, by an order from his Majesty sailed together from London; and on the 10-20th went on board the *Kent*, lying in Chatham river, near Sheerness, when being there, came Admiral Torington, being then a prisoner on board in one of the King's yachts, and about half an hour past eleven of the clock, with his shallop aboard, was by Vice-Admiral Debanal [Delavall] of the blue squadron, being President of the Council, received with trumpets sounding. The Council being assembled, sat the President at the upper end, and at his right hand the Admiral Torington, who was called the prisoner. After the several persons were examined in the cabin of the said ship concerning what they had against Torington, they being subaltern officers, viz. masters of ships, constables and quartermasters, etc., and but one captain, who all had little to say against their Admiral.

"After which the said Rear Admiral de Schey was called in with his two captains, Taalman and Swann, and by especial order from his Majesty, had to assist him his Majesty's

Adjutant General of the Sea, Captain Zuhm, to be his interpreter, who then presented an exact account of his diary to be delivered to the Council, or at least to have had it to refresh his memory in what passed in the last sea fight; but it was denied him as not practicable, but it oblige (*sic*) him to give an *ex tempore* account of all; who then began to relate, that on Sunday the 9th of July, the Admiral Torington, by an order from the Queen, summoned them to a council of war, where it was resolved *nemine contradicente*, by order of her Majesty, to fight the enemy; yet with this consideration, to keep as much as was possible to windward, that the succour which we expected from Sir C. Shovell and Vice-Admiral Killegrew might come in to us; so that by the time the vanguard should be engaged with the Dutch, all the English should in their line have engaged also.

" When this was related in English by Captain Zuhm, the Rear-Admiral farther declared that on the 10th of July, being Monday morning, the Admiral Torington gave a signal to range in order of battle; which being performed he gave his farther signal to begin the fight, a red flag being placed in his foremost top.

" Whereupon the Dutch, in good order loosed towards the enemy, keeping their line; but contrariwise Torington made to windward in a half-moon figure, and the blue squadron kept their station.

" Now it was asked, how it happened that the French Rear-Admiral overtook us with nine ships, and got to windward of us? To which was replied, that if the Admiral Torington had kept the line with us, according to agreement, making sail accordingly, we had followed the enemy; but by reason of his staying to windward we would not betake our squadron to prevent them.

" It was then demanded whether I, de Schey, saw any reason that our fleet, being inferior, could have any hopes to beat an enemy so much superior in number.

" I answered that this would not have been the first time, for that we had beaten the French near Cicily before, with about half their number, being seventeen against thirty-six; and by coming (*sic*) their line so well, forced them to quit us at the time.

" Now eight demanded of me together several questions, which forced me to ask the President who they were, and what authority they had to be questioning, not being of the Council; that they ought not to insult over me with their number though they had been a thousand; that it did not become you (*sic*) to confound me with their questions; that I had never been used to such disorder in our country, and that it rather resembled a nest of young wolves then a council of war.

" But turning from them to Admiral Torington I said: *You, Torington, what need more questions here: fighting was the command, and when you had resolved in council with us, by her Majesty's order, to fight the enemy nemine contradicente, what reason had you to give the signal to fight, when you were not minded to engage? And what reason had you, not only yourself, but to detain your whole squadron from the beginning to the end of the fight, from engaging?*

" Hereupon another asked me (he being the Earl of Bath's son) if I could assert upon oath that if Admiral Torington had followed in his line that the enemy had certainly been beaten.

" To whom I answered with a question, whether he would swear, if another were with him, that they would make me run. That I, however, had not doubted by the judgment of all men, through God's blessing, we might have obtained full victory. That many questions need not be asked what was done or not done, for if the ships were all visited it would soon discover who were concerned by their mark.

" Upon which it was said, *then our ships had not fought;* to which I replied, *let anyone name any one ship of the twenty-two, which had anything to be objected against them:* upon which they named Admiral Evertz. To which I could say little, having seen him much to the windward during the whole fight.

" *But,* answered I, *they could name me* [*none*] *other except him, who did not show themselves very resolute.* Upon which there was a sudden silence, when one in the crowd came and told me that Vice-Admiral Culemburge was not damaged, which showed that he had not fought; which warmed my blood so, that I caught hold of this man by his coat, and demanded who he was, and that I required satisfaction of him for invading a man's honour who was so brave a soldier of fortune, and had manifested so much the prowess of an honourable man.

" But he denied me his name; only told me he was a captain, upon which I spoke to the President, and protested to him that I would desire of the King that I might have satisfaction; and the contrary was proved when Admiral Torington sent a vessel to carry him off the next day.

" I was then asked if I had anything more to say. Upon which I answered, that *I would rather than* 500 *guineas, that I could speak as good English as Dutch. I had yet an hour's work to point out your cowardice; but I am sufficiently wearied to answer all your impertinent questions.*

" Yet we had not quite done, for when there began to be a calm, about two of the clock in the afternoon, I had the French Rear-Admiral to windward of me and the Vice-Admiral to leeward; yet so fighting I forced the Vice-Admiral to flee, so that he was towed off from me with six shallops, which was sufficient mark of a hoped victory, if the Admiral with his squadron had done the like; but his lying off gave occasion to our danger. Also the Vice-Admiral, that had the middle squadron of the enemy coming up, sought to cut me off, but that I prevented him. And all this happened, that Admiral Torington gave him so much room, he lying above a Dutch mile to windward of us, and so did not fight the said squadron. And when we came to anchor the said Vice-Admiral was so near me that when he shot a waving piece the bullet flew and dashed the water as far beyond my ship as he was from me in distance; and then Admiral Torington was a Dutch mile and half from us.

" What happened the days after the fight Admiral Torington was not to blame, for he then endeavoured to give us all the help he could.

" Then was Captain Taalman called in, who, according to the report of Captain Zuhm, declared that upon the signal of the attack he took his post, and had so much to regard in his own ship that he could not observe what Admiral Torington had done till about four of the clock in the afternoon, when he saw the said Admiral about a Dutch mile to windward of him, five points out of the line, upon which he withdrew.

" When Captain Swann was called in, of whose declaration Captain Zuhm gave me the following account: That Captain Swann being asked what he had to say against the Admiral Torington concerning the late fight, answered that the Admiral Torington, like a brave admiral, gave the signal to attack the enemy, but that the said Admiral with his squadron never came within shot of the enemy. Upon which Torington demanded, how it then happened, that a fireship that lay a mile beyond him had received a shot. To which the said Captain replied that a random shot might perchance reach a ship so far. But according to the custom of war ships ought to be at least within a three-pound shot, if not within a musket shot. And that if Admiral Torington had come but near with his ships he doubted not but by God's help they had obtained an absolute victory.

" Upon which Admiral Torington asked him what reason he had to give that as his judgment, and what signs he could give for the said judgment, when he could not say any remarkable damage that the enemy had received. Captain Swann answered that it was not the first nor the third time that he had observed the enemy in a fight to give way, which was always a sign of a certain victory, and if Admiral Torington had had any inclination to have tried it he believed he might have seen the proof of it himself. But contrariwise, keeping out of reach of the enemy gave occasion, not only to discourage the Dutch, but also to make them murmur against their officers that they were left to be butchered; and that Admiral Torington so shamefully stayed to windward, which the enemy observing, whom he had forced to fly, returned again upon us.

" Upon which Captain Swann withdrew, and coming to me, we left the aforesaid ship, and returned to give your Majesty an account of the said proceeding."

L. Braddoe to [Robert Harley.]

1690, December 20.—" . . . . The House of Lords and Commons in their majority being more likely to discourage than encourage the discovery, it is not thought convenient now to move under this unhappy influence, but to tarry till a more favourable temper: but when that will be, God only knows; for if that common danger which threatens the destruction of both (whatever vain vaines (*sic*) the High Church may have of the contrary) will not unite us, nothing less than a miracle can.

" My father, perceiving I have not any prospect of a place, he would have me to come into Cornwall; and I do purpose very speedily to go, seeing I have not seen my father in almost ten

years, and am here under severe circumstances; though I think very hard that my opposing the oppression of the late times should render me obnoxious to the now most prevalent interest.

"I did lately write to Sir Henry Capell, desiring some assistance in order to the providing such necessaries as I want; but I understand my Lord's losses have been such as he could not afford me any supply. I should be glad of ten pounds, though there is much more due, not by way of reward but just satisfaction; nay, rather than nothing, should very willingly receive five." Desires him to use his influence with his Lordship.

Repair of the Navy.

[1691, after April 21.]—"Remarks on the account of Sir Anthony Deane, Knt., and William Hewer, Esq., that was presented to the honourable the Commissioners for the Public Accounts of the kingdom" on the above date.

A criticism of the accounts, with a strong recommendation that such a statement should be regularly made; that it would be not a little grateful to their Majesties, both Houses of Parliament and the whole nation, and would exceedingly conduce to the glory of the gentlemen concerned.

Letter Office.

[1691, July ?]—"A list of salaries due to the officers of the General Letter Office, at midsummer, 1691, for one quarter;" and "money paid to postmasters" for the same period.

Endorsed, "Examined: Daniel Bridge."

William Hewer to the Commissioners for taking the Public Accounts.

1691, August 12. Clapham.—Explaining at great length why the repair of the *Britannia* has necessitated a greater expenditure of time and money than was originally estimated; and giving the names of the master shipwrights and their assistants at the several dockyards in 1688; and setting forth the excess of expenditure in repairs over the sums estimated in the instances of sixteen ships specified.

Enclosing a chronological account "of the state of the *Britannia* from the laying of her keel, June, 1679, to her delivery back to the present officers of the Navy from the late Commission in October, 1688"; and a further justification of the conduct of the officials responsible for her building and repair.

Navy Estimate.

1691, October 31.—"An estimate of the charge of their Majesties' Navy for the year 1692," amounting to 1,855,054*l.*

Navy Estimate.

1691, November 10. Admiralty Office.—"An account of the numbers and rates of ships to be employed in their Majesties' service at sea in the year 1692."

First Rates, 5; Second Rates, 10; Third Rates, 33; Fourth Rates, 37; Fifth Rates, 29; and smaller vessels, yachts, ketches, fireships, etc., 51.

Lord Preston.

[1691, November.]—Questions to be put to Lord Preston by the House of Commons, with regard to the plot to restore King James. There are 38 questions. "Distinct answers to most if not all these heads may justly be expected from the Lord Preston; it being naturally supposed he would never have engaged in the late King's plot if he had not been well assured there were persons in most of the offices and places above named false to their Majesties."

[Sir] Thomas Clarges to Robert Harley.

1691, December 28.—"I herewith send you the bill I promised you and the breviat to it; but I have no copy of the breviat, and therefore I submit it to your consideration whether it may not be more convenient to deliver the bill and the breviat to Lord Castleton to-morrow morning in the House than to give it him this day, lest he should mislay the breviat. It has been great labour to transcribe this bill and make and transcribe a breviat between the time when I parted from you at eight in the evening on Saturday and eight this morning, considering that yesterday was a Sabbath day, and therefore I would not willingly have either of them embezzled." *Signed.*

Ann Bagnall, wife of Dudley Bagnall.—Abstract of Petition.

[1692, March.]—On her marriage, in 1668, certain lands were limited to her for life as a jointure, with a reversion to her husband, and a remainder to his first, second, third and fourth sons and their heirs male, with a power by consent of George Mathew, her father, to charge the estate for preferment of younger children. In 1688 the said Dudley, having married his eldest daughter to Sir Gervas Clifton, charged the estate with a certain sum payable in part to Sir Gervas when he comes of age in April next, and with another sum for his other children, and ratified the former reversion and remainder and her own jointure. At and before the "Boyn battle" he was in a sickly condition and went into France, since which time he has done nothing in opposition to the Government. Prays that her right and her children's may be preserved, and that some allowance may be made them. [*See Cal. S.P. Dom.* 1691–1692, *p.* 190.]

GEORGE TOLLET to ROBERT HARLEY.

1692, October 18. York Buildings.—It is reported that the King has landed at Harwich or Southwold Bay; some of the transports, and particularly Cutts' Regiment, are said to be cast away. The winds have been very high, but not fair enough, we think, for his Majesty to come to sea. "The officers who are lately come from Flanders have scarcely yet recovered good temper enough to be conversed with, except by Commonwealth's men."

NAVY DEBT.

1692, October 26, and 1693, November 15. Navy Office.—An estimate of the general debt of their Majesties' Navy as it stood at Michaelmas.

1690—1,070,799*l.* 10*s.* 3*d.*; 1691—1,102,146*l.*; 1692—1,406,433*l.* 4*s.*; 1693—1,782,597*l.*

The LINE of BATTLE.

1692.—"The English to lead with their larboard and the Dutch with their starboard tacks on board." [*Two copies.*]

E[DMUND] DUMMER to ROBERT HARLEY.

1693, March 27. Navy Office.—Inviting him to go to Woolwich on the following day. He will take him up at the Temple at half past nine, and bring him back by six in the evening.

THE SAME to THE SAME.

1693, June 13. Plymouth.—The Oporto fleet, of 28 sail, came in here yesterday. The Canary fleet, with some transports, have sailed to the eastward. On Thursday I go to Falmouth and shall return on the following Wednesday. I shall be home about the 27th or 28th inst.

THE SAME to THE SAME.

1693, June 20. Plymouth.—I am now in a fair way of coming home, having been at Falmouth, and hope to be at Exeter to-morrow night. This day we have news by the lieutenant of the *Portsmouth* that Sir John Ashby died last Tuesday; and that the *Victory*, which was said a week ago to be leaky and to have returned to Portsmouth, was with the fleet when he left.

RICHARD, EARL OF BELLOMONT and JAMES HAMILTON, Esq.—Petition to the Queen.

1693, June 22.—Being informed that Thomas Lord Coningsby and Sir Charles Porter, late Lords Justices of Ireland, are passing warrants in the Earl of Nottingham's office in order to obtain a pardon for their maladministration, they pray that a stop may

be put to the passing of the said pardons until petitioners and others may produce their proofs against them. *Copy.*

Also duplicate of the above.

Intelligence from Lisbon.

1693, July 3. Lisbon.—By an express from Faro we learn that "on the 26th past, the fleet, doubling the Cape, took a French fireship who gave them an account the ships they saw were seventeen French men-of-war, convoy to a great fleet of merchantmen, and some of our frigates began to chase, but to no purpose. Next morning Tourville came down upon them with 36 men-of-war, and the fight began by the *Woolwich*, *Exchange* and *Chatham*." We have no particulars of the success of the fight. At Faro a great Smyrna ship run ashore and the captain blew her up; and by his example four more did the like on Cape St. Mary; four more burnt at Villanova, and three at another place, whether by the French or by themselves the express from Lagos does not say. He came thence on Sunday in the evening, at which time the French fleet was standing in with great rejoicing.

[Same date.]—"Several letters from passengers aboard the [Turkey] fleet give an account how they run ashore and burnt their ships, but they do not know how many are taken. . . . To-day we shall know the certainty, or at least more particulars of it; it will be very severe loss. God comfort the sufferers." *Copies.*

E[dmund] Dummer to Robert Harley.

1693, August 2. Portsmouth.—Since I returned from the West I have had very little quiet; for this is the second time I have been here, besides once at Harwich. "Here I believe I shall abide three weeks or more to quicken the works of these new docks. We are affrighted in these parts about the news from Flanders; I pray God it prove other than is reported."

The transport ships were discharged, but are again refitting. Next Tuesday we shall launch a 50-gun ship named the *Weymouth*.

The Same to The Same.

1693, August 10. Portsmouth.—"I am very sorry to find a good friend of mine, Sir Charles Hara, in your list among the wounded. God send him well again, and the King recruited and to look Luxembourg in the face again.

"I shall be confined here I doubt three weeks or a month more, to drive on a knotty work, but to the kingdom the most beneficial it ere knew . . . that is that in the dry dock, which is but a little part of the design, you shall receive first and second rates on spring tides, and from the third rates downwards every day in the year, neaps as well as springs. . . . I hope, ere the winter comes in, a good stroke will be given towards the finishing of it."

[The Earl of Bellomont and James Hamilton]. —Memorial to the Queen.

1693, August 17.—Expressing regret that their first petition was open to misinterpretation; and setting out the heads of grievances presented to the King by both Houses of Parliament, and their charges against the Lords Justices as confirmed by the depositions of several witnesses. Having further proofs which they hope to substantiate before parliament, they pray that a stop may be put to the pardons of Lord Coningsby and Sir Charles Porter until the next session of parliament.

Endorsed—"Paper delivered to her Majesty in Council on Thursday the 18th of August, 1693." [Thursday was the 17th, on which date this paper was given in. See Luttrell's *Brief Relation of State Affairs*, iii., 164.]

E. Dummer to Robert Harley.

[1693 ?] September 11.—"We have received orders this week to refix with all expedition the boats they call the well boats, to go upon some sudden enterprise as yet secret to me. They are to be attended with several fireships, brigantines, bomb-ketches, etc. The Admirals are still here with the great ships, and very uneasy to find themselves levelled at for this summer's unhappiness. Admiral Nevile, who carries the union-flag at the mizen topmast-head, is ordered, with the *Dreadnought*, for the Sound, and will sail with the first wind."

———— to Robert Harley, at Brampton.

1693, September 30. London.—Giving foreign news; and expressing regret that Harley is apprehensive of his "old distemper." They have examined the Victualling accounts and found the Commissioners much to blame for not pursuing instructions and so giving colour to the Admirals to lay the fault at their doors; though the fleet was sufficiently victualled to be able to go to Cadiz and return. *Seal with the initials R.B.*

Case of Dr. Oldys.

[1693, September.]—In July, 1692, it was resolved by the Lords of the Council that Englishmen or Irishmen, acting as privateers under a commission from King James, were to be tried as pirates, not having a commission from any king or sovereign power. But in November, 1692, when Dr. Oldys, Advocate of the Admiralty, was ordered to prosecute some such as pirates, he refused to do so, alleging that they were not pirates. He was accordingly summoned before the Cabinet Council in September, 1693, and called on to state his reasons. He replied that these men shewed a commission signed James Rex, at his court at the Castle of St. Germains, with instructions couched in the same terms as those given to our privateers, giving caution and security to bring the prizes to judgment in the Court of Admiralty at Brest or elsewhere; all which is contrary to the definition of piracy

or the character of a pirate, who is a sea robber. That if it was objected that King James, having parted with his crown, had no longer power to grant such commissions, he answered that a king may be deposed and deprived of his crown, but cannot lose his right to it. He has a right to wage war, and to all the consequences, among which is the power of granting letters of marque and reprisal. On the other hand, if he abdicated, he became a private person, and had no power to grant commissions. But the question is not whether King James has power to grant such commissions, but whether a privateer, acting by virtue of such a commission, not knowing that King James has abdicated, is not excused *a poena delicti*; for in such cases, a reputed power is equivalent to a real one. Now, it is notorious that King James was once a lawful king; that when his army deserted him he fled to his ally in France, who furnished him with forces, with which he went to Ireland, to recover his kingdom. In Ireland he granted commissions; but those who held these, if captured, were not treated as thieves and robbers, but as prisoners of war, whereby his claim seems to be allowed by his very enemies. That on the return of these officers to France, they repaired to King James as their king, and thought him as well empowered to grant commissions by sea as by land. The abdication was voted and is binding in England; but these gentlemen were in a foreign country and knew nothing of it; and though King James is no king here, yet the colour of authority remains; and the common acceptation of him there as king excuses them.

Sir Thomas Pinfold declared that he was of the same opinion as Dr. Oldys.

Dr. Newton and Dr. Waller desired time and refused to give their opinion.

Dr. Littleton said that King James was now a private person. He was not in a capacity of making war. He could neither send nor recall ambassadors, and those who adhered to him were not enemies but rogues, and the persons in question not privateers but pirates.

Dr. Tindall was of the same opinion as Dr. Littleton.

Upon this Dr. Oldys was removed from his place, and Dr. Littleton put into it.

E[DMUND] DUMMER to ROBERT HARLEY.

1693, October 3.—Navy Office.—"Tis confidently said the fleet of France have been very sickly; 4,000 men dead at sea and as many put ashore at Toulon; and d'Estrée's squadron laid up to man Tourville back for Brest. But to our reproach 'tis more confidently affirmed that the *Diamond*, with five or six merchantmen from the Barbadoes, were all taken off the coast of Ireland . . . ; and on board her, two chests of gold belonging to the African Company; and, 'tis said, without firing a gun.

"Our great ships are come to the Gun-Fleet," but can get no further, by reason of the westerly winds. Nor have our bomb

vessels been able to stir westward, "so that the action meant on that side will not, I presume, be a secret in France, whatsoever it may be here. The Admirals came to town on Saturday. Sir George Rooke and Allemonde are on their way hither, in order, possibly, to debate the summer's action before the session.

"God send us better understandings, more charity and more money; the public weal requires it." *Signed.*

ROBERT HARLEY to the EARL OF RANELAGH.

1693, October 24.—Confessing himself "very ill qualified to be a beggar," and recommending Mr. Thomas Lloyd for a small pension in consideration of more than twenty years service to the Crown. *Draft.*

NAVY ACCOUNTS.

1693, October 27. Navy Office.—An account of the monies allowed for the service of the navy yearly in the several sessions of parliament during the present reign; shewing what has been received and what remained in arrear at Michaelmas, 1693.

Also, "An abstract of the money received in part of our estimates for extra service, over and above the general heads provided for by the parliament," including 50*l.* "for providing a medal for Mr. Robert Cason, master of the *Richard and John* of Ipswich," and 230*l.* "for medals and chains to eight persons."

NAVY LIST.

1693, October 31.—List of the Navy, and "establishment of men and guns."—First Rates, 7; Second Rates, 10; Third Rates, 41; Fourth Rates, 34; Fifth Rates, 26; Sixth Rates, fireships, yachts, etc., 85.

POST OFFICE.

1693, October 2.—Balance sheet of the Receiver General of the Post Office for one year, ending Michaelmas, 1693, showing a balance in cash of 732*l.* 12*s.* 8*d.*

PLACEMEN.

[1693, end of ?]—List of members of the House of Commons holding office under the Crown.

The members are arranged by counties, and in the alphabetical order of the counties. 97 names. [*Lord Cutts, elected Dec.* 21, 1693, *is inserted in Harley's hand.*]

[SIR] ROBERT DAVERS to SIR PETER COLLETON.

1693 [-4], February 24.—"Extraordinary business carries me out of town for four or five days. I set out to-morrow and hope you will be well enough to see Mr. 'Harlow' and Mr. Foley to speak to them to help us about the African Company: if they can but keep it off till I return, I doubt not but to undo what they did at the Committee. If you are not well enough to be

abroad, pray write to some of your friends. . . . Mr. Harlow has been very kind to us in the sugar business and in all things."

GUSTAVUS LANGE to ————.

1693-4, March 8. *Kingfisher*, in the Downs.—With the squadron under the command of Captain James Gother, they have been cruising to the north and off Dunkirk, to intercept du Bart. He slipped past them in a fog, got inside the banks and so into Dunkirk. The Commodore and Captain Hickes of the *Kingfisher* have been sent for to the Admiralty.

THE LORDS OF THE ADMIRALTY to the NAVY BOARD.

1693-4, March 19.—An order to give effect to the order in Council of February 22. *Copy.*

Enclosing copy of the said order, for doubling the sea-pay of all officers, and regulating the number of servants. *Printed.*

HOUSE OF COMMONS.

[1694, March.]—"Some reasons against Sir Charles Holt's bill:" being the defence pleaded by Andrew Fountaine's counsel.

JOURNAL OF ROBERT HENLY, one of the Commissioners of Transportations, sent to Portsmouth by order of Mr. Secretary Trenchard.

1694, May 14.—Went to Portsmouth to take up such ships as could be procured for embarking land forces, and to follow such directions as I should receive from Lieutenant-General Talmash.

May 16.—I gave the Lieutenant-General an account in writing, that the victualling agent had no orders to discharge any ships; but that there were six nearly empty, which he would discharge, without orders, if the masters were willing to come into the transport-service.

May 18.—Most of the masters of the ships last arrived refused to have anything to do with us again till they were paid what was due to them for freights last year. The Major and another of Colonel Winn's officers came to me to know what provisions were laid in for their men; and finding that it was only bread, cheese and beer, they seemed much concerned that they had not the same provisions as the foot on board the men-of-war.

May 20.—I waited on the General, who ordered me to forbear shipping the horses, and told me he found the men-of-war would receive the foot soldiers, and no ships being to be taken up at Portsmouth, I might return as soon as I would to London and acquaint the Secretary of State how I left things there, and that what shipping more should be necessary must be taken up in the Thames and sent after him. Several of the officers told me they had received orders the night before to have their men ready to put on board by five that morning, but that those orders were recalled.

List of Ships.

1694, June 5.—" A list of the English and Dutch ships designed for the Mediterranean compared with the French ships there."

First Rates, 3; Second Rates, 9; Third Rates, 30; Fourth Rates, 5. [*Enclosed in the following letter.*]

Engagement in Camarett Bay.

1694, June. *Neptune.*—" After our departure from St. Helens, which was on the 29th past, we met with little winds, veerable to the northward and to the southward of the west, and oftentimes calm. We used all imaginable diligence to get out of the Channel, which we did not accomplish till the 6th instant, at which time the wind being northerly Admiral Russell kept on to the south westward, with 32 English and 15 Dutch ships of the line of battle, and of both nations there were eleven fireships and six frigates, a list of which I here enclose, compared with the French in and gone to the Mediterranean.

" My Lord Berkeley was left here with 18 English and 11 Dutch ships of the line of battle, and of both nations twelve fireships, six frigates, and five bomb vessels, and we had on board the fleet about 6,000 land soldiers. We directed our course to Ushant, in order to go to Brest, and on the 7th inst. we anchored in the evening with our fleet from St. Matthew's Point towards the narrow going into Brest Sound, keeping out of shot of the shore, but were entertained with bombs from the land on Camarett side, also from both sides going into Brest Sound, and along the north shore almost as far as St. Matthew's Point, and although we were out of gun shot, yet to my wonder the bombs reached where we rid, which I am confident was two miles and a half, rather more than less: I am also convinced by reasonable argument (contrary to my former opinion) that if one of the great shells fall into one of our ships and burst, it will quite disable if not destroy her. Here we rid all night taking care with our boats and brigantines, that the enemy made no insult on our storeships and small vessels.

" The 8th instant in the morning; the weather very foggy; but about 7 in the forenoon it cleared up, and the signal being made, we embarked all our land forces in our boats and tenders in order to land them in Camarett Bay; but discovering there were forts and batteries of guns and lines and trenches all near where we intended to land, we sent seven frigates (three were English and four were Dutch) to batter the aforesaid fortifications, the better to facilitate the landing of the soldiers. The ships that went on this service were commanded by my Lord Carmarthen, who placed them with a great deal of skill, and performed his duty with much bravery and hazard.

" Between 3 and 4 this afternoon four or five hundred of our soldiers landed (most of them grenadiers), and Lieutenant-General Talmash landed with them; but they were so warmly received by the enemy that Talmash was shot through the thigh, and with difficulty was brought off; and the rest not being able to advance by reason of the entrenchments and

fortifications and number of horse and foot upon the shore, in so much that most of our men that landed were either killed or taken prisoners, the rest of our soldiers returned on board, we having lost five of our well boats which were grounded and left on shore, which the enemy burnt upon the retreat of the soldiers. My Lord Carmarthen came off with the ships, all but one of the Dutch frigates of 32 guns. I am pretty well satisfied the French knew of our coming, and may easily be persuaded they knew where we intended to land, they being more particularly fortified at that place, though at other places they had industriously provided to oppose our landing. I suppose about 300 English and Dutch seamen suffered in this skirmish, that is, were killed, wounded or taken prisoners, for several men suffered in our well boats, and other boats, and few men escaped from the Dutchman that was sunk.

" This evening at a council of war it was considered whether we could attempt any other place with the land forces; but General Talmash declared he had not power to carry the forces anywhere else. It was also considered if the fleet could not go into Brest Sound, and bomb the town. It was thought too great a hazard to go in with the fleet, unless we could be certain we could ride without reach of their bombs; for 'tis most of our opinions that if a shell break in any ship it will disable if not destroy her. Then 'twas considered if the frigates and bomb vessels might not go in and bomb the town: that was also thought unreasonable and impracticable, first, because our number of frigates are few, and those much disabled by this day's action; secondly, we knew not the enemy's strength, which might probably be sufficient to take both frigates and bombs; and thirdly, our number of bomb vessels, being but five, is very insufficient to perform so great an undertaking. In all this you see we make no difficulty of passing their castles, there being no other danger than the hazard of their shot and bombs, which they can ply at you all the way through the narrow land, the rock in the middle of the narrow: therefore 'twas concluded we should return to Spithead and there expect further orders.

" So that on the 9th, in the morning, we weighed and stood to sea. About noon I saw four galleys; they came down the Channel and went into Brest. This evening the *Dreadnought* sailed for England with General Talmash.

" 10th.—To-day, about 11 leagues to the northward of Brest, the *Elizabeth* came to us with eight bomb vessels.

11th.—" To-day a Dutch Rear Admiral with four great ships from Holland joined us."

Endorsed.—" Mr. Dummer."

Case of Edward Ketelby of Ludlow, Gent.

1694, July 5.—Against Mr. Aaron Smith, upon petition before their Majesties in Council, for payment of moneys due to him for his management of the commission of enquiry into the estates

of the Marquis of Powis. Prays to have a fair and speedy hearing and relief.

[*See* Calendar of Treasury Papers, 1557-1696, *p.* 375].

E[DMUND] DUMMER to ROBERT HARLEY.

1694, September 16. Plymouth.—" This evening sailed the *Hampton Court* westward to cruise, and the *Ruby* to Portsmouth. . . . The Straits convoy with the victuallers passed by this place on Thursday night. Our docks here are finished, and we purpose to take in the water on Tuesday, they being in all respects fitting for use, saving the cleaning the mouth of the basin from the dam that stands before it, which will be done in a few days."

THE SAME to THE SAME.

1694, September 29. Bristol.—" I am this afternoon come to this place to give, if I can, some little spirit to the finishing of a ship of 60 guns which is building here by contract. She should have been launched some months since, but the matter hath met with many rubs.

" The people here do not generally accord well; and its influence sooner reaches the public than private affairs, of which this work hath tasted a good portion. I hope to be at Portsmouth on Thursday, and then suddenly home."

THOMAS NORRIS to ROBERT HARLEY.

1694, October 11. Speake.—" The last post I received yours, and the next day went to Liverpool, where I had an opportunity to represent Mr. Molesworth as a gentleman commended by one I durst entirely rely upon. I found them all engaged either to the Mayor or Mr. Brotherton. The Mayor hath all the common people, and the other all the Aldermen, who think they can work off most of the Mayor's friends; though at present he hath three for one. Both sides are very positive and resolved. A brother of mine . . . came down to proffer his service to the Corporation, but he was told they were engaged; and I think it in vain for any new interest to be made so late.

" I am told the gentlemen taken in this country for treason will be speedily tried at Manchester. I desire to hear what will be proved against them, and if anything worth your notice happens I will give you an account of it."

CAPTAIN BARFOORD.

1694, July to November.—Memorandum that Captain Barfoord, commander of the Danish frigate *Guldenlew*, on coming into the Downs refused to lower his pendent to the English fleet, whereupon Sir Cloudesley Shovell ordered the Captain of the *Stirling Castle* to fire a broadside. Three Danes were killed, and the frigate was taken into the river and detained till the King of Denmark made submission and reparation.

Abstract of the text of the said submission and reparation as entered in the Council books at Copenhagen, September 4, 1694. *French.*

Also—Translation of the same as read before the King in Council at Whitehall, November 15, 1694. *Copy.*

And—Order in Council for the discharge of such Swedish and Danish ships as were lately "brought up" by an order of the Queen. *Dated* July 12, 1694. *Copy.*

Navy Lists.

1695, April 10.—"Remarks upon the methodizing and keeping an account of the several lists of the Royal Navy received from the Navy Office; and upon the defects of the said lists, which commence on the 5th November, 1688."

The writer proposes as a remedy: (1) that the lists received from the Navy Office between 1688 and 1694 may be corrected by comparison with the originals; and (2) that for the future exact lists of ships added, diminished or altered may be issued every half year.

The Mayor and Corporation of Poole to the Lords Commissioners of the Admiralty.

1695, May 31.—Certificate that on May 20, 1694, Peter Jolliff, of the said town and county, mariner, master of the *Sea Adventure*, a small hoy of about 25 tons, being with the said hoy at Weymouth, saw a French privateer sloop of 4 pattereroes stand into Weymouth Road and take out a ketch belonging to the town; on which, assisted by some of the inhabitants of Weymouth with small arms, he manned the hoy and gave chase to the privateer and her prize, retook the prize, and forced the privateer ashore near Lulworth, where she was broken in pieces; the men, 24 in number, were secured by Jolliff, who landed six of them at Weymouth, and brought the other 18 to Poole, whence they were sent under a guard to the gaol at Portsmouth. The commission of the French captain and the examinations of the prisoners were sent up to the Admiralty by Jolliff soon after the caption of the privateer.

Further, that on May 28, Peter Jolliff, in the same hoy, being with other boats a fishing, and having with him only two boys and one small gun mounted and some small arms, was chased by another French privateer sloop of two pattereroes and 18 men, belonging to Cherbourg. Jolliff defended himself and the other fishing boats till they got safe into Swanage Bay, where he took on board some volunteers with small arms, and gave chase to the privateer, and was coming up with her; but espying another privateer of greater force, which he judged to be her consort, he gave over the chase and returned to Swanage.

Further, that on May 30, the same privateer sloop chased a small hoy of this place, of which William Thompson is master, and then out fishing, having with him only one man and a boy. He had two small guns mounted and some small arms, and made

ready to defend himself, which he did with such good success that in little time he wounded the captain, lieutenant and six men, and put the privateer to flight. Whereupon Thompson pursued, came up with the privateer, and after firing on her for two hours the privateer struck and the captain called for quarter. Thompson took the captain and 15 men prisoners; two of these he left at Corfe Castle, and the captain and 13 he brought here; the other two, making up the 18 with which she sailed out of Cherbourg, had been sent in a prize belonging to Lymington which the privateer took the day before. *Copy.*

Signed by Tho. Smith, Mayor, *and* 19 *others.*

Endorsed—" Poole Heroes."

E[DMUND] DUMMER to ROBERT HARLEY.

1695, June 24. Portsmouth.—" Lord Berkeley, having been a little to the westward of Portland, met there with a hard gale and hurry-durry dark weather, is this moment returned to an anchor at St. Helens. I hear yet of no damages among them." *Signed.*

JOHN FREKE to ROBERT HARLEY.

1695, July 19.—" I have a due sense of my obligation to you for the news you sent me; but you must know 'tis against the rules of this place to answer letters. We must not read or write when we drink the waters; and if we offer to transgress this law, we are sufficiently punished for it: the waters fly up in our heads and leave no room for thought, so that whatever we write will be more insipid than the waters themselves."

E[DMUND] DUMMER to ROBERT HARLEY.

1695, August 25. Portsmouth.—Sir George Rooke came hither on Wednesday, and is earnest on his departure. The chief hindrance will be want of men, and there is no way of supply but to turn over from the ships lately arrived from the Straits; which is a heart-breaking case to many, and will entirely destroy the vigour of our navigation if some relief be not found to the unconcionable slavery of seamen.

" The squadron designed with Admiral Rooke is:—The *Queen*, 100 guns; *Royal William*, 100; *Neptune*, 90; *Vanguard*, 90; *Shrewsbury, Chichester, Cambridge, Newark, Dorsetshire*, 80; *Yarmouth, Gloucester*, 70; *Litchfield, Coventry*, 50; *Lyme*, 32, and *Sandadoes*, 16." *Signed.*

E[DMUND] D[UMMER] to ROBERT HARLEY.

1695, September 10. Portsmouth.—" Sir George Rooke will sail this day to St. Helens. The soldiers embarked yesterday. . . . Allemonde with the Dutch were blown hither by the late storm."

PUBLIC ACCOUNTS.

1695, September 14.—The Commissioners of Customs.—Further return to the Commissioners for examining public accounts to a precept of 1695, July 19; giving details of the duty charged on ships imported and gauged in the out-ports during the year ending June 1st, 1695. *Signed.*

Enclosing:—Tabular list of ships, with details, from the several out-ports.

Also similar list from London and the out-ports, for the same period.

Endorsed by Harley. "Received and read September 16."

CAPTAIN KIDD.

1695, October 10.—"Articles of Agreement between the Earl of Bellomont of the one part, and Robert Levingston, Esquire, and Captain William Kidd of the other part."

Two copies; one imperfect. (*A printed copy exists in the British Museum*, 816, *m.* 5, 27.)

NAVY LISTS.

[About 1695, December.]—"Abstracts of the lists of the ships of the Royal Navy from November 5th, 1688 to November 5th, 1695," and a list of the ships lost, captured or in any way diminished during the same period.

[*This list is somewhat fuller than that given in H. of C. Journals, vol.* xi. *p.* 351.]

SIR GEORGE ROOKE to WILLIAM FOWLER, at Genoa.

1695-6, January 29. *Queen* at Cadiz.—Mr. Russell and I missed each other in our passage out and home; and though he did not leave me any paper mentioning either you or your services, yet I am well satisfied of your zeal and good intention, and I shall very willingly allow you any encouragement that may enable you to procure the intelligence you mention of the enemy's proceedings. I must desire you to exhibit to me a kind of scheme of what you propose and what you think the charge of it may be; and I should be glad if you would get a letter of recommendation to me from my Lord Galway.

WILLIAM SHARRETT, late supervisor in the Revenue of Excise.—Memorial to the House of Commons.

[About 1696, January.]—Setting forth his services from 1678 to 1694. Having detected certain frauds and abuses in the management of the Excise in Wales, he obtained letters of recommendation to several of the Commissioners of Excise, and presented a written account of his discoveries. But Mr. Parry, one of the commissioners, finding himself implicated in the said frauds, put him off with fair promises until he had procured

evidence alleging that Sharrett had drunk King James' health and had absented himself from his business, and thereupon discharged him, in November, 1694. Eight months later he obtained an audience with the Commissioners and answered the charges; but was put off for five months more, when Mr. Danvers finally told him: "you should never be employed, should the King send his own letter, whilst I sit at this Board"; whereupon Sharrett departed, "leaving them in a sort of distraction in their wilful ignorance, and the revenue in the highway to ruin."

Protests his loyalty and his willingness to serve in any branch of the revenue.

COMMITTEE OF TRADE.

[1696, March ?]—"A letter to a member of parliament concerning a committee of trade." Indicating the benefits to be obtained from the establishment of a council for the regulation of commerce and manufactures.

NAVY ESTIMATE.

1696, October 1. Navy Office.—"An abstract of an ordinary estimate for the Navy for one year according to the number of ships now belonging to it and those at this time in building, if they were all in harbour at a time of peace: as also what the charge thereof would be supposing 48 of them were employed at sea," and a scheme for the disposition of these 48 ships, being of third or lesser rating, and carrying 7,355 men at 4*l.* 5*s.* a month per man.

NAVY ESTIMATE.

1696, October 12.—"An abstract of the ordinary estimate of the Navy prepared January 1, 1685, for that ensuing year: as also of that prepared October 1, 1696, whereby is shown how much the charge of the latter exceeds the former."

The excess amounts to 236,230*l.* 12*s.* 9*d.*; or, with the abatement for ships supposed to be employed at sea, to 224,250*l.* 12*s.* *Two copies.*

DEFENCE of SIR GEORGE ROOKE'S CONDUCT.

[1696.]—It does not appear, "in any of Sir George Rooke's papers, that the Lords of the Admiralty had any thought of intercepting the French fleet from getting into Brest, before April 25, 1696; the day Sir George Rooke's fleet arrived in the Downs."

1. In their Lordship's letter of April 25 they ordered him to proceed with the fleet to Spithead; and of April 29 to proceed into the Soundings.

2. On March 3, 6 and 24 their Lordships sent orders to Plymouth for Sir George Rooke's fleet to go to the Downs, 30 leagues further from Brest than Portsmouth, and 60 further than Plymouth.

3. There were no victuals in the Downs, so that Sir George was forced to go back to Portsmouth, and there the victuallers were unready to give him despatch.

4. At the Downs he left 1,000 men behind him in sick quarters. Had they been put ashore at Portsmouth they might have been recovered and put aboard again before Sir George sailed from Spithead.

5. None of the ships, ordered on April 25 to join him, had been previously ordered to get ready.

6. Nor had the ships appointed for the convoy to Portugal any order to join him till after their Lordships had received Sir George's letter of April 30, complaining of want of ships.

7. In his letter of May 2 Sir George wrote to the Lords of the Admiralty that had he not been ordered to the Downs he would by then have been ready to sail to the Soundings.

8. If their Lordships had had any thoughts of intercepting the Toulon squadron, they ought to have sent a reinforcement to meet Sir George in the Soundings; but the first were sent to Sir George himself after his arrival in the Downs.

9. It was May 5 before Sir George got without St. Helens, and May 9 before he had his final orders to cruise 15 leagues westward of Ushant, to intercept the Toulon squadron; whereas the Toulon squadron arrived at Brest on May 15 new style. The Lords of the Admiralty were so far from having any prospect to intercept the Toulon squadron that they had not appointed a clean frigate to keep the French privateers from insulting Sir George at pleasure; and they have generally sent foul ships to cruise, as is sadly but truly proved by the many ships of war given away to the French since the Revolution.

House of Commons.

1697, March 26.—"Reasons against a duty on lead." *Two copies.*

Navy Lists.

[About 1697, April.]—"A list of the ships of the Navy Royal of England of the first, second, third and fourth ranks, of which are composed the lines of battle: what remained the 5th of November, 1688, and what have since been anyways added, diminished and altered to the 31st of March, 1697, collected out of originals from the Navy Office." Shewing 116 ships in being on the latter date, and 12 more nearly ready to be launched; together with 181 ships of lesser rating.

Edward Russell.

[1697, May 7.]—Preamble to letters patent creating Edward Russell Baron Russell of Shingey, Viscount Barfleur, and Earl of Orford. *Latin.* [*Copy.*]

1697, May 14.—Account of the state of the coin in Scotland.

GENERAL DENOMINATION.—The same as in England: viz., Pound, Shilling, Penny and Mark. The Scots pound has in it "the twelfth part quantity of silver which the English has; being almost the same with the French *livre* . . . so that a pound in Scots money answers only to 20*d.* English; a shilling Scots to a penny English; and a penny Scots to the third part of a farthing English." Similarly a Scots mark is worth the twelfth part of an English mark.

SPECIAL DENOMINATION.—In silver: forty-shilling pieces, the largest coined since the reign of Charles II; twenty-shilling pieces; ten-shilling pieces; and five-shilling pieces; all of which are current coin and bear the same relation of $\frac{1}{12}$ to the English coinage.

Before the reign of the late King James there were four-mark pieces; two-mark pieces; marks; half-marks; forty-penny pieces; and twenty-penny pieces. Also three-pound pieces, and five-and-forty shilling pieces; both of the coin of King James the Sixth. Also many old marks and half-marks stamped with the Thistle on the one side and the Arms of Scotland on the other; whereas those coined since the Restoration of Charles II bear the Arms of the three kingdoms and of France on one side and King Charles' effigy on the other.

"There were also then remaining some pieces of copper with a small tincture of silver called *Atchisons* from the name of the coiner; having the value of eight pennies Scots.

"The particular denominations of pure copper money in Scotland are two: a *Babee* containing six pennies Scots; . . . and a *Twa-pennies, Bodle* or *Turner* containing two pennies Scots; . . . two of which, answering to a third part of a penny English, are called a *Plac.*

"The *Atchisons* are quite worn out; as also almost all the three-pound, and five-and-forty shilling pieces, except such as are hoarded, or reserved for curiosity: likewise the greatest part of the old and later marks with the other pieces which consist of the multiplication or division of the denomination *mark.*" Those that remain are raised in value, the four-mark piece by 4$\frac{8}{9}$*d* English, and the other coins in proportion.

"The chief bulk of the Scots coin at present consists of those four species relating to pounds, and the multiplication or division of decimals, which I have first named amongst the particular denominations; and which are most easily reducible to even count of English money . . . All the monies coined since the beginning of the reign of the late King James are of those four kinds."

STANDARD FINENESS.—The same as in England; answering in the pound troy of 12 ounces to 11 ounces, 2 pennyweight fine silver, and 18 pennyweight of alloy.

QUANTITY OF SILVER.—This "in a Scots forty-shilling and twenty-shilling piece, or in any other so many pieces of any

species as answer to a crown English, is four pence English less than is in a crown, or in any other so many pieces as make a crown or five shillings in England. And so proportionably in all other quantities of money. Which difference of quantity of silver in the Scots coin from that in England answers to a deficiency of 6*l.* 13*s.* 4*d.* English *per cent.*

" The coin is so ordered in Scotland to prevent its being melted down and fashioned into plate.

" There is no contract betwixt the two nations relating to coin."

Endorsed.—" Given in to the Lords of the Treasury by J.H."

PETER JENNINGS, Agent for Prizes in America.

[1697, September 9 ?]—Account of receipts, disbursements and cravings from June 8 to September 9, 1697; showing a balance due to the Commissioners of Prizes of 13*l.* 17*s.*

GEORGE TOLLET to ROBERT HARLEY.

1697, October 19. London.—" This day the peace has been proclaimed here with great solemnity. It takes place in the British and North Seas after the 22nd of September last; from thence to Cape St. Vincent after the 22nd instant; beyond the Cape to the Equinoctial (both in the Mediterranean and Ocean) after the 19th November, and after the 10th of March throughout the whole world.

" Brigadier Erle with some other officers in their coming from Flanders were taken at sea and carried into Dunkirk by a privateer of that place, and ransomed themselves at 4,000 crowns. After landing they left two captains for hostages, and went (the rest) to Reswick, where the French Minister, being made acquainted with the matter, gave order immediately for discharging the hostages and acquitting them from the ransom.

" It is said the Prince of Conti, whose party in Poland increases, intends to winter in Denmark, being invited or encouraged by that Prince. He can do nothing at present in Poland, and this will serve for an amusement; give time to the Pope (who it is said underhand favours his pretensions) and the French King, etc., to concert the Catholic interest; and probably to obtain forces from Denmark to assist his party in Poland.

" The French, finding themselves not a match for the whole confederacy, may find their interest in working severally on particulars. The Cantons may be the subject of their power, and others of their policy; but the Reformation has thrown off a darkness that will not easily be brought to o'erspread the minds of men again, and we shall surely overcome at last.

" Mons. Nesmond's unsuccessful coming home is worth consideration. God grant our trade and navigation may fall into the best hands, though you may have less leisure than you have at present."

NAVY ESTIMATES.

1697, December 10. Navy Office.—"An estimate of the charge of the wear and tear, wages, victuals, and ordnance stores of 10,000 men for thirteen months to be employed at sea; and of the ordinary and extra charge of his Majesty's Navy for the next year;" amounting respectively to 552,500*l.* 308,006*l.* 2*s.* 6*d.*; and 150,000*l.*

NAVY LISTS.

[1698, early in ?]—"A list of the ships that were in sea pay on January, 1st, 1697[-8], and an account of what was then due and in arrear of pay to those ships; and also what has been paid to them since that time, and where the said ships then were."

HOUSE OF COMMONS.

[1698, January ?]—"Reasons for making the statutes of Edward the First and Edward the Sixth as effectual for punishment of destroying enclosures in the day time as they are in the night."

COLONEL JOHN FORWARD'S CASE.

[1698, February ?]—Being High Sheriff of the county of Donegal in the year 1688, he had a special command from the then government of Ireland to disarm all Protestants in his county, and to adminster an oath to each person to discover their own arms. Being thus forewarned he secretly procured supplies of arms and powder from Holland, wherewith he furnished the city of Derry during the siege; which service so enraged the Irish that they destroyed his estate, and left him and his family destitute. He prays for relief from the House of Commons, seeing that the case and sufferings of Derry are now to be taken into consideration. Mr. Robert Price will move the case.

JOHN GOUDETT.

1698, June 24.—"Instructions for managing the impeachment against John Goudett and others." [*See* Parl. Hist. v. *p.* 1175.]

KING'S TRUMPETERS.

[1698, June ?]—Receipt of several of his Majesty's trumpeters in ordinary to Mathias Shore, sergeant trumpeter, for their fees and liveries to October 19, 1693. With further receipt for their fees of honour to May 31, 1698. *Copy.*

DR. WILLIAM BRIGGS.—Petition to the King.

1698, July 12.—Has been a physician at St. Thomas' Hospital in Southwark, and is one of the King's physicians in

ordinary, and as such has tended several servants of the Royal household, as appears by the certificate annexed. Prays for a yearly salary, such as is given to other sworn servants of the King.

Endorsed with the said certificate.

Enclosed is a rough draft for the above petition in Harley's handwriting.

FEUDAL DUES.

[1698, January—June.]—Reasons against passing the bill entitled "An Act to take away the payments of Smoak silver, Peter's pence or common fine payable at the sheriff's turn."

LORDS OF THE ADMIRALTY to ————

1698, June 29, July 9 and 18.—Orders to fit out the *Dolphin* at Portsmouth, for a foreign voyage, with all possible despatch. Captain Hunter is to command her, and Captain Humphry Blower, her late commander, and all her officers and company (except Captain Hunter and the warrant officers and their allowed servants) are to be borne on board one of the ships in ordinary for wages and victuals, till they shall be paid off. [*Copy.*]

ELECTION PAMPHLET.

[1698, July ?]—"Some cautions offered to the consideration of those who are to choose members to serve in the next parliament." 32 *pages.*

NAVY ACCOUNTS.

[After 1698, August.]—"An abstract of what orders have been given for the passing of any accounts for the Navy since the beginning of the late war." *Last date given,* "August 31, 1698."

NAVAL AFFAIRS.

1695-6, February 21.—1698, October 26.—Letter book containing copies of correspondence between the Lords of the Admiralty and the Commissioners of the Navy on the salaries of clerks (1696), and on the reduction of the number and salaries of clerks "now the war is over" (1697-8). Also an order to the Navy Board to pay Sir Charles Hedges, Judge of the High Court of Admiralty, 400*l.* a year under the head of pensions, in lieu of the 400*l.* hitherto paid out of contingent money "in consideration of his attendance on and reports to his Majesty."

Captain Rigby.

1698, November 15—December 13.—Correspondence between Josiah Burchett and the Navy Board, as to the suspension of Captain Rigby of the *Dragon*, and the stoppage of his pay pending his trial by court martial. *Copy.*

Navy Lists.

[About 1698.]—"A list of the thirty-five ships of the first, second, third and fourth rates that were burned, blown up by sundry accidents, cast away, taken or destroyed by the French, or anyways diminished from the Royal Navy in the nine years war from the end of the year 1688 to the beginning of the year 1698.

Rate.		Guns	How and Where Lost.	When.	
4	*Sedgmore*	50	Cast away in Margats Bay.....	2 Jan.	1688
	Portsmouth ...	46	Blown up at sea by the French...	9 Aug.	
3	*Pendenis*	70	Cast away on the Kentish Knock	26 Oct.	
4	*St. David*	54	Sunk in Portsmouth Harbour ...	11 Nov.	1689
	Centurion	48	Cast away at Plymouth	25 Dec.	
3	*Henrietta*	62			
	Ann	70	Burned by the French three miles westward of Rye	6 July	
	Breda.....	70	Blown up in Cork Harbour	12 Oct.	1690
	Dreadnought ...	64	Foundered off the North Foreland	16 ,,	
2	*Victory*	82	Cast on survey as irrepairable ...	20 Feb.	
4	*Mary Rose*.....	42	Taken at sea by the French	12 July	
2	*Coronation*.....	90	Cast away off Ramhead.....	3 Sept.	
3	*Harwich*.....	70	Cast away at Plymouth.....	3 ,,	
	Exeter.....	70	Blown up at Plymouth	12 ,,	1691
	Happy Return	54	Taken by French off Cape Hogue	5 Nov.	
	Jersey.....	42	Taken by French, West Indies ...	18 Dec.	
	Swallow	42	Cast away on the Irish Coast ...	8 Feb.	
4	*Portland*.....	46	Burned to avoid being taken by a squadron of French men-of-war, near Malaga	12Ap.	
	Phœnix	42			1692
	Norwich.....	42	Blown from the Leeward Islands in a hurricane, not heard of since	6 Oct.	
2	*Windsor Castle*	90	Cast away on the Goodwin, going into the Downs.....	28 April	
	Anthelope	48	Cast on survey as irrepairable ...	11 July	
	Diamond	48	Taken by French off Cape Cleer..	20 Sept.	
4	*Mordant*	40	Cast away, West Indies, at Cuba	21 Nov.	1693
	St. Albans	50	Cast away off Kingsale	8 Dec.	
	Lumley Castle	56			
3	*Cambridge*	70	Cast away on the east side of Gibraltar.....	19 Feb.	
	Sussex	80			
4	*Dartmouth*.....	48	Taken by French in Soundings...	4 Feb.,	1694
3	*Hope*	70	Taken by French off the Lizard..	16 April	
4	*Winchester*.....	60	Cast away at Cape Florida, West Indies.....	24 Sept.	
1	*Royal Soveraigne*...	100	Burned by accident at Chatham	27 Jan.	1695
	Carlisle	60	Cast away near Harwich	28 ,,	
4	*Tyger Prize* ...	46	Cast on survey; made a breakwater at Sheerness	14 Feb.	
	Hampshire.....	40	Destroyed by the French at Hudson's Bay	26 Aug.,	1697

Abstract.

	Rate.				
	1	2	3	4	Total.
Burned, blown up by sundry accidents and cast away	1	2	8	10	21
Cast on survey, as irrepairable	—	1	—	2	3
Taken or destroyed by the French"	—	—	2	9	11
	1	3	10	21	35

Election Pamphlet.

1698.—" A prospect taken of England divided in the election of the next Parliament.

" Courtiers, so called:

King William,	whose design is	To preserve his title, govern the nation according to law, and preserve the balance of Europe.
King William's Court,		To keep their offices in order to support the government.
The Moderate Churchmen,		To preserve the King and Protestant religion.
The Dissenters,		To preserve the legal indulgence which the King and the present government have given them: by giving such part of their estates in taxes as is necessary to preserve the whole.

" The New Country-Party, so called:

The late King James,	whose design is	To recover the possession of their places, and bring in Popery and arbitrary power.
The Non-Jurors and Non-Associators,		To restore themselves by restoring the late King James.
The High Churchmen,		To repeal the legal indulgence, enlarge their persecuting power and hinder all reformation.
The Papists,		To bring in Popery, and in order to it confusion: under pretence of easing the people of taxes.

" Now, Englishmen and Protestants, choose your side." *Printed.*

Case of Mr. Thomas Colby, Senior.

[1698 ?]—" The Lords of the Admiralty (among officers belonging to the navy) retrenched the assistant of the Controller of the Victualling, under whose inspection were about five millions of money, appropriated for the victualling to the Navy during this long and expensive war, of which vast sum very little has been hitherto accounted for.

" The Navy Board in their answer to the Lords of the Admiralty, dated the 19th of July last, represented it as an act very unseasonable to dismiss an officer, who had served in the said office about thirty years, whose ability and integrity the Navy Board attested in their said answer to the Lords of the Admiralty upon their orders concerning the increase of salaries.

" This officer was retrenched July, 1698, notwithstanding he was in the establishment before the year '91, and in the ordinary estimate of the Navy.

" The retrenchment of such an officer seems to proceed from a jealousy of his too near examination of such a vast sum as five millions of the public money, some of which possibly may have been misapplied."

House of Commons.

[1698-1700.]—Tabular list of the places represented in the House of Commons, and of the members sitting for each, arranged in line with the names of their seats in alphabetical columns for the session 1698-1700.

Also alphabetical lists of the seats and of the members in the same session, with corresponding numbers.

Martin Beckman.

1698-9, January 19.—Certificate that Paul Robert Lamouline served as captain of one of the wool-packs in Flanders, and at the descent in Camaret Bay, for which service there is due to him from November 1st, 1692, to March 31st, 1693, 151 days at 10*s.* *per diem*, amounting to 75*l.* 10*s.*, which arrears were paid nearly five years ago to Captain Ricotier, and other foreigners then under Beckman's command.

Endorsed that Captain Lamouline is Mr. Brocas' son-in-law.

Perquisites in the Navy.

1698-9, January 26.—Reasons for allowing the deputy of the Paymaster of the Navy to take poundage for collecting slop-clothes, dead men's clothes, minister's fourpences, surgeons' twopences, tobacco, and money for the chest at Chatham.

Resolutions concerning the State of the Navy.

1698-9, February 16.—" That it appears to this Committee by the papers referred to them by the House delivered in by the

Commissioners of the Admiralty that there hath been introduced many new and unnecessary charges upon the Navy to the great damage of the kingdom.

" That the Commissioners of the Admiralty have assumed to themselves a power and authority in passing accounts and making orders for extraordinary payments of money without his Majesty's or the Privy Council's directions therein, contrary to the ancient practice of that office.

" That the procuring his Majesty's sign manual for passing an account for contingencies of the fleet to the amount of 18,666*l.* without sufficient vouchers for the same tends to the overthrowing the regular methods of passing accounts in the Navy and is prejudicial to the public.

" That the taking of poundage from the chest at Chatham, dead men's clothes, ministers and surgeons, tobacco and slop-clothes is without warrant, and ought to be accounted for.

" That the passing the account for victualling the fleet in the Mediterranean for the years 1694 and 1695 by virtue of a privy seal without regular vouchers for the same or oaths made for the prime cost of the provisions for that service is of ill example, and of dangerous consequence.

" That it is inconsistent with the welfare of the Navy to have the same person Commissioner of the Admiralty and Treasurer of the Navy." *Draft in Harley's handwriting.*

Northamptonshire Petition.

[1699,] February 22.—The High Sheriff, freeholders and owners of pasture and meadow ground in the county of Northampton.—Petition to the House of Commons.

They are accustomed to rent parcels of meadow land to butchers, who graze lean cattle thereon and sell them alive as fat cattle in the public markets, and are enabled to pay their rent out of the profits. But recently these butchers have been prosecuted by common informers for selling fat cattle; so that petitioners cannot find fit tenants for their lands nor pay the King's taxes owing to the fall in the value of pasture land. They pray that butchers may be permitted to sell alive the cattle that they feed in rented lands. 118 *signatures, including* Thomas Langham, Sheriff *and* John Hoare, mayor of Northampton.

[Notes for a Speech in Parliament.]

1698-9, March 9.—" You have now the state of the Navy under your consideration, which though of great consequence, yet other business of the House hath for some time diverted your proceedings. It is now very requisite you should give as quick a dispatch to this as may be; I hope one day more will finish your Committee, that gentlemen who will begin to look towards the country may have the satisfaction of having made some progress towards redressing those many evils which have

so long reigned in that part of the Government which we depend upon so much for our security. I must confess the disease is inveterate, the malady is obstinate and refuses any less cure than that of a parliament; many have been the attempts in former parliaments without success, and this hath encouraged the ill practices that they began to be looked upon above punishment and to pass everywhere without account. Give me leave to observe the steps you have already made towards a remedy, then I will open some further part of those evils to which you are yet to give a stop.

I. You have condemned the stay of the Straits squadron first, you have condemned:

1. Misapplication of money.
2. Carelessness [?] of trade.
3. Partiality.

II. The assuming a power of disposing money to Mr. Priestman, one of your own board.

III. The victualling the fleet by the Commander, which is another instance of partiality and enriching private men at the public cost.

IV. Captain Price;" and further rough notes. *In Harley's handwriting.*

Edmund Dummer.

1698-9, March 8-18.—An abstract of the substance of Fitch's accusation; of Mr. Dummer's reply laid before the Lords of the Admiralty on March 8 and 15; and what passed at the hearing of both parties before the said Lords on March 18.

Observations on Naval Matters.

[1699, March ?]—Among the many abuses that have crept into the Navy, a very dangerous custom is the building ships by contract " or by the great, as they call it . . , as a necessitous man in haste would purchase a suit of clothes in Birchin Lane." It has been introduced by artful officers, interested in the profits arising from such contracts; and over and above the exorbitant profits arising from the contracts are those arising from the bad material and bad workmanship, so that in time of action contract ships are proved to be no way able to answer the uses of the navy. They are not of sufficient strength to cruise; they are not able to carry their establishment of guns, which rack them to pieces, spring leaks and send them to port for repairs. Such ships, over and above their excessive cost and the charge for repairs, are worn out in less than half the time of those built in the King's yards. To illustrate this let the House single out two ships of the third rate, that is of a medium size, built one in one of the King's yards, the other by contract. I will name one particular ship, the *Cumberland*, built by contract at Bursledon; compare this with one built at Portsmouth, Chatham or in the King's yards on the Thames. Let the officers who have commanded or served in

these ships be called and examined as to their strength, sailing, working, cruising, riding, bearing of sail, carrying of guns and the like; I make no question that there will be found a manifest difference between the two. Let the Commissioners of the Navy be obliged to produce their books and lay before the House a fair account of the charge of repairs done to these two ships, from their launching and first going to sea to this day. There have been ships built by contract since this war that have cost the public 2,000*l.* in fitting and repairing before they had done five pounds of service, and perhaps the ship I have named may be of that number. In a word, the building of ships by contract for the service of the Navy Royal of England is an insupportable abuse; it ought to be censured and forbid for the future.

There is a great deal to be said in objection to the building a whole squadron at once of two-decked 80-gun ships, which every knowing man wondered at, being assured they would never prove serviceable, would be found ungovernable, would rack themselves in pieces by labour in the sea, and carry their masts by the board; which proved too true. If not, why has a third deck been built on them since? It is the best remedy, but they are not by far such good ships as they would have been, had they been designed as three-deckers from the first. It is remarkable that the Admiralty should have made the experiment of a whole squadron of new-fashioned ships at once, instead of building one as a sample. It would be just to enquire whether the Navy Board made any objections to this form of shipping. If they did the Admiralty will have the less excuse; if not, they were both to blame.

Abuses Charged against the Lords of the Admiralty.

[1699, March ?]—"To call for a list of the officers of the fleet that have been turned out and have afterwards been employed again; by which there will be found great partialities and irregularities; and that the Lords of the Admiralty have acted directly contrary to the Act of 13 Charles II."

The Earl of Orford has had several offices inconsistent with each other; to be the first Lord of the Admiralty, Admiral at sea, Purser General in the Straits, and Treasurer of the Navy, at one and the same time; and Mr. Thomas Taylor, his creature, is clerk of the cheque.

Captain White, son-in-law to Sir Robert Rich, formerly Commander of the *Severn*. To enquire the reason of his being turned out, and how he came to be restored.

Captain Pigott was turned out for losing his ship. After he was restored he was made commander of the *Royal Katherine*, a second rate, and the *Suffolk*, a third rate, and he is now commander of the *Soldado* Prize to Jamaica.

Captain Weyman, who is now dead, was turned out for cowardice and not obeying orders.

Thomas Reynolds, steward to the Earl of Orford, is receiver of the 6*d.* per month of every seaman's pay, both in the King's

and merchants' service. These sixpences now amount to a vast sum, and none of the registered seamen have as yet been paid. Enquiry should be made where all this money lies.

From June, 1697, to April, 1698, 5,000*l.* were paid for incident charges of the Admiralty Office, and so proportionable before and after, which have amounted to a vast sum during the late war; and since the peace the incident charges have been very little retrenched.

The chief clerk of the Admiralty Office should give an account, on oath, of how this money has been disposed of.

It is pretended that the charge to the King was for the payment of tradesmen's bills, for the most part for necessary work done to the office and garden of Sir Robert Rich's house. *Note* that the Secretary of the Admiralty had out of this money 400*l.* at one time, which (as reported) was to pay his private debts.

"The King has been put to a vast charge in purchasing and fitting the Admiralty Office, and at a time when there was an extraordinary scarcity of money; and the frequent alterations made in the office, Sir Robert Rich's house, the Secretary's and doorkeeper's apartments, are vastly more than the 300*l.* per annum paid for the old Office in Duke Street, besides the landlord's tax and the Lords giving the man, whom they purchased the office of, the place of purveyor for the navy at Portsmouth—an employment of consequence, trust and difficulty—though he was never in the navy before, and no ways qualified for such a place; but this was given him as a consideration for keeping him out of his purchase money for a considerable time, notwithstanding they paid him interest for it, and, immediately before this session of parliament, they contracted with him for two houses more in the Admiralty Court, for some of their creatures to live in, and are in treaty with him for all the low buildings next the street, in order to pull them down because they hinder the view of the Office, and that they would have the whole Court to themselves. But the parliament's calling them to question for some things has put a stop to these proceedings for the present; tho' when the session is done, they design to proceed as formerly.

"The house Sir Robert Rich lives in cost the King 3,000*l.* or thereabouts, and was purchased on pretence of keeping the Admiralty Court there; but Rich has got it now for his own use, and let his house in Soho Square; and he puts the King to 500*l.* a year expense for alterations, furniture, firing, candles, etc; which are all placed to the account of incident charges of the Admiralty Office."

In making these purchases the Lords of the Admiralty have given 20 per cent. more than any other purchaser would, or the thing really worth; "Sir Robert Rich . . .. has the chief government in these matters, and most of the money paid by his private order."

The master of a Swedish ship, who was instrumental in discovering a Swedish and Danish fleet seized by Sir George Rooke, received a much greater reward than he asked for or expected.

It is said that he was given 8,000*l.*, chiefly on the report of the Solicitor of the Admiralty, a man of very ill fame, a broken tradesman, put into the office by Sir Robert Rich. Though his salary is but 100*l.* per annum, he has got by his employment a large estate; for the law charges of the Admiralty come to 3,000*l.* a year, one year with another, so that it appears certain he gets clear into his own pocket yearly from 2,000*l.* to 3,000*l.*, besides other private advantage, which is very considerable. "As this man was brought in by Sir Robert Rich, so has he been by him constantly supported, notwithstanding the numerous complaints against him for no ordinary crimes; but it has been observed that for the greatest part of several summers . . . Sir Robert Rich and his whole family have been at this man's house, where they have been nobly entertained at free cost," which in another way the King and the kingdom have paid for; "for there have been many needless suits commenced at the King's charges, where the King has generally lost the cause, after an extravagant charge in prosecuting, purely to create profits to the Solicitor of the Admiralty.

"The partiality of the Admiralty in making commission and warrant officers without regard to seniority, certificates, merits, qualifications, wounds or loss of limbs in the service may appear by comparing the list of those officers out of employment with those that are in. Again, their partiality or injustice in rewards and punishments may be seen by their turning out several officers without legal trials, though they petitioned to be brought to courts-martial, and sometimes [without] any reason given them for their hard usage; and . . . letting others, that have been guilty of much worse crimes, escape unpunished." As an instance of this, Captain Richard, who lost the *Happy Return* in a cowardly manner, was tried at a court-martial, which forfeited all his pay and incapacitated him from ever serving again; but in a few months, without any pardon from the King, he was put into a better command and is now in commission.

Questions as to Abuses in the Navy.

[1699, March ?]—"Ten thousand men allowed last year at the charge of 520,000*l.* *Query:* how they have been employed, and what service they have done? When the Straits squadron was ordered to be fitted and when it sailed. The like for the West India and East India squadrons."

To call upon the Admiralty for answers to these.

If it is urged that these squadrons were detained for want of money to pay them, then why were not such ships made choice of as might have sailed without money or with less money? and the money that paid them employed to the discharge of the ships kept in pay for want of money.

Why were so many ships fitted out anew for service in the Channel since the peace, when so many of the like quality lay in harbour to be paid off, which might have been employed in their room?

Why has the money for providing the provisions abroad been put into the hands of the commanders of the squadrons? Should not the Commissioners of the Victualling have made provision abroad or sent provisions with them and done it to his Majesty's best advantage?

What checks can be had on the commanders in chief? Should not they be the checks on those entrusted to supply their squadrons?

Keeping the ships in continual pay and paying the men on board is a great discouragement; being not admitted to visit their families on shore for several years together; and no choice of their commanders.

Turning over, lending and removing of seamen so very frequently has created great confusion in the books and accounts, as well as alienated the affections of the men from the service."

Floating prisons, viz., ships laid at the Buoy of the Nore, Spithead, etc., to receive the seamen while their ships went into harbour to refit, is another discouragement, so that they take all opportunities of running away.

Paying all the prize money into the captain's hands, and no care taken to see they distributed the same to the men.

Flags as well as commanding officers and seamen kept all the year in pay, though sometimes not above two or three months at sea; sometimes not at all.

"The Lord High Admiral, (or first Commissioner of the Admiralty) Admiral of the Fleet, and Treasurer of the Navy inconsistent in one man. . . . Can any check be kept of his Majesty's treasure, or over the commanders in the expense of stores," etc., when that is the case. . . . .

"By what authority has the Admiral laid out so much money on an office and houses without any estimate, orders or money provided for the same?

"By what power was 6*d*. a month added to the wages of the registered seamen?"

Further Abuses in the Navy.

[1699, March?]—"Objections to admirals and commanders in chief victualling the squadrons or ships they command."

[Inhabitants of Liverpool] to Robert Harley.

[1699, March.]—"Our case concerning making Liverpool a parish now stands thus. Mr. Brotherton proposed an agreement which I consented to refer it to any two gentlemen that understood the value of patronage, that our town being but a sixth part of the parish, we were willing to give him two years' value what we give the present rector for his life. But now he saith Mr. Molyneux will not consent except to be patron of the old chapel, and we to be only of the new; or else have 500*l*. for the patronage, which is near ten years' value.

"We are agreed with the present rector and vicar, and are willing that the agreement be put into the bill, and likewise

that our rectors, when made into a parish (*sic*), shall pay the sixth part of the first fruits and tenths on any new presentation for Walton for ever; and are willing to give for the patron's consent what the House thinks fit; yet he, being a Roman Catholic, in truth hath no right. Therefore [we] beg of you that you will oppose he being patron, for we would willingly give the value; but rather than he to be patron would lose the bill.

"Mr. Molyneux hath a great prejudice against our town, and always sells the next presentation beforehand. His father before him made over a sham deed to a Protestant gentleman; and that gentleman presented to Sefton, and likewise Cambridge did; on which there was a jury *patronatus*, and there they affirmed it to be a free gift, and so a good deed. The jury gave sentence against the University, and afterwards, when the Protestant gentleman died his son thought he had a good title to the perpetual 'avouzance;' bnt Lord Molyneux had got the deed, on which there was a suit to whom it belonged [for] a long time. When it came to trial they made an underhand agreement and took up the trial; which is another trick against the University."

Captain Kidd.

1699, June 27. Nevis.—"Information of Peter Smith of St. Thomas, about Kidd's arrival in those parts and about his trading with Bolton and Burke." *Copy.*

Political Satire.

[1699, July ?]—"The titles of several public acts agreed to in the Cabal.

1. "An Act for the preservation of the Protestant religion both at home and abroad in this fatal conjuncture by putting the administration of affairs entirely into the hands of those that love France and hate the Dutch.

To be moved by Sir Chr. Mus[grav]e.

2. "An Act of indemnity for all those that were concerned in the Invasion Plot in 1695, and to qualify them for all offices and employments both in Church and State, that their next attempts may succeed better.

To be prepared by Sir Ed. Sea[mou]r.

3. "An Act to repeal the Association, and to settle the succession in the right line.

To be brought in by Mr. Har[cour]t.

4. "An Act to make all those incapable of being elected to serve in parliament, who during the late war were zealous in the House of Commons to give the necessary supplies for the preservation of our liberties and religion.

To be moved by Mr. Har[le]y and seconded by Mr. H[o]w.

5. "An Act to establish a Cabinet Council that may be proper either for Kensington, St. Germain's or Versailles, as there shall be occasion.

To be nominated by the Lord Sund[erlan]d.

6. "An Act for uniting the Crowns of France and Spain, and for disuniting those of England and Scotland.

To be managed by the same noble Lord.

7. "An Act to empower the next Lord Lieutenant of Ireland to erect an ecclesiastical High Commission Court in that kingdom, and to render it more effectual than that of the late King James.

To be entrusted to Chancellor Meth[ue]n.

8. "An Act for supporting the credit of the nation by reducing all public security to the discount of 50*l.* per cent.

To be transacted by the Lord Good[olphi]n.

9. "An Act to restrain the liberty of the Press, that the people may be kept in profound ignorance of their danger till it is too late to help them.

To be moved by Mr. Ham[mo]nd.

10. "An Act for educating the Prince of Wales in the Protestant religion.

To be prepared by Sir Fr. Ch[il]d.

11. "An Act to authorise Sir Ch. Dun[com]b, when he is Lord Mayor of London, to proclaim the Prince of Wales.

To be brought in by Sir Theo. Ogle[thor]p.

12. "An Act to pardon all errors and ignorances in the Court of Chancery since May last.

Charitably promoted by the Lord Somers for the benefit of his successor.

13. "An Act to make the Lords Rum[ney] and Jer[se]y two able ministers of state.

To be moved by Mr. Broth[erto]n, an able member of Parliament.

14. "An Act to constitute the Treasurer of the old East India Company Paymaster of the Band of Pensioners.

To be drawn up by Sir Tho. C[oo]k.

15. "And also an Act to declare it high treason for any member to take money for his vote in parliament from any person whatsoever, body politic or corporate, the old East India Company excepted.

To be prepared by Mr. M[oo]re.

16. "An Act to direct the following stanza (prophetically made above twenty years since) to be set as near as possible to the tune of *Lilly Bur Lero*, and to appoint the same to be sung at Court three times a week, and in the Court of Requests during the session of parliament, viz.:

But Sund[erlan]d, God[olphi]n, Lory
These will appear such chits in story,
'Twill turn all politics to jest,
To be repeated like *John Dorey*,
Which fiddlers sing at country feast.

To be moved by the poetical Dr. D'Av[ena]nt."

DARIEN SCHEME.

1699, October 19.—Memorial of the Council General of the Company of Scotland trading to Africa and the Indies, to the King.

Shewing that their settlement at Darien was undertaken in accordance with an act of parliament, and royal letters patent. They petitioned parliament on July 19th, 1698, to address the King for his protection on behalf of the settlers; but, owing to the close of the session, obtained no benefit. Reports having reached them of the unfriendly proclamations issued in the King's name by the governors of plantations in America, they pray that with the advice and assistance of parliament he may take off the force of the said proclamation. *Draft.*

EDMUND SOAME.—Petition to the House of Commons.

[1699, November 16.]—*See* House of Commons Journals, Vol. XIII., *p.* 3.

Endorsed with notes as to the examination of witnesses and other matter connected with the trial.

NAVY ESTIMATES.

1699, November 20.—"An estimate of the wages due to all his Majesty's ships and vessels in sea pay, to Michaelmas, 1699; as also to such others as have been ordered to be laid up and were not then paid off."

Total—502,621*l.*

Of which, to ships at sea—382,446*l.*

To those ordered to be paid off—120,175*l.* [*Copy.*]

CAPT. WALTER WARING to ROBERT HARLEY.

1699, [November] 30. Owlbury.—Giving information against Mr. St. John with regard to the clothing of a regiment; and suggesting suitable persons to serve as commissioners at Clun and Pursloe.

Enclosing letter from JOS. BENNETT to WALTER WARING.

1699, November 4. London.—Asking him what he remembers with regard to St. John's payments, as agent, to the regiment when he served in it in 1689.

PHILIP PAPILLON.

[1699, November ?]—Concerning the account of the Earl of Orford for victualling his Majesty's fleet in the Straits, and the privy seal granted for the same."

The privy seal has determined the discharge, and the account is to be passed without exception by the Commissioners for Victualling, and the Commissoiners of the Navy, who are authorised to pass the victualling accounts; but it is conceived

that the privy seal ought to be sent to the victuallers to justify them in passing the account, and to be their vouchers to lay before the Commissioners of the Navy and the Auditors of Imprests.

The balance of the said account upon the privy seal, being 5,225*l.* 19*s.* 1½*d.*, has been paid into the Exchequer, and paid out to the Treasurer of the Navy; for which Philip Papillon, Cashier of the Victualling, has been forced to give his receipt; which is a double charge on him, he being before charged with all the money received out of the Exchequer for the services of the victualling, out of which the money to the Earl of Orford was paid.

SIR CHARLES BICKERSTAFFE'S Case.

[1699, before December 14.]—Showing that in December, 1698, he exposed his estate to be sold by the Kentish, or second land lottery before any restraint by Act of Parliament, in order to discharge all his debts at once. He has been at great charges in promoting the said lottery, but cannot draw and complete the same within the time by act limited. Prays for an extension of the period.

Endorsed. For Thursday, December 14.

INFORMATION ABOUT CAPTAIN KIDD.

[1699, winter.]—"When Kidd set forth on his intended voyage to Madagascar, his pretences, owners, and admiralty power were as public as his rodomantades thereof were vain; his authority was as ample as any King's commander, and therefore he should pay no respect to the King's colours where-e'er he met them.

"A captain of a yacht taking notice of his carriage, gave particulars to his people (in case he should not be on board himself) to fire shot into him if he did not strike as he passed him at Greenwich. It happened he was not aboard when Kidd passed him, and he having a front wind did as he said, showed no respect. But being shot, believing the yacht out of danger of call, Kidd's men in the tops turned up, and clap their backsides in derision. The captain on this contempt acquaints the Admiralty (by testimony of the hands of his men) the whole story. That Board trifled away time about it, taking the testimony to be insufficient without it was sworn to; that he got done presently. But by this time Kidd was gotten away from Gravesend, and going by the Nore, the ship there took notice of him upon the same account and sent him into Sheerness, and rendered an account thereof to the Admiralty; and here the thing slept, and inquiry was made into the character of this captain; and a while after he and two more captains of the yachts were suspended under pretence of countenancing the bringing over a parcel of alamodes. But that being examined, and no ground found for it, they were restored; where this proceeding interfered in this time I cannot tell, however.

"Without any further notice, or enquiry, or judgment given upon the conduct and arrogance of this fellow, he was let loose from Sheerness, and from under the guard at the Nore, by a mysterious passiveness from all sides, and we hear no more of this person till he shewed the King's authority for robbing, which, I take it, was to Captain Warren near the Cape of Good Hope, saying he had as good a commission for his proceeding as the said Warren had for his conduct. If this be true, and that partnership hath been owned by some in high state, it is a case of the highest immorality that ever was attempted in this nation by any one, much less by such as hath had the ministry of the most important affairs thereof; and for which there is hardly any punishment or censure universal enough to reach unto the proportion and extent of so national a villainy and a mischief so universal to all corners in the world.

"This Kidd, about April or May last, returns to the West Indies, and I think at Nevis makes his first appearance; sends to the Governor for his honour of treating with him safely, offers him presents, and prays his procuring him a small vessel for himself, designing to quit that he was in as too heavy and unfit for his then circumstances, his voyage being now ended. To this the Governor would give no countenance, so he sailed hence towards New England [where] he was soon after known to ar[rive]: there he walked publicly about [for] awhile. But, murmur arising, he [at] last surrenders himself, and news thereof is sent home, and at the same time that he had made his partitions and consigned them to his owners. The *Rochester* man-of-war, upon this advice, is despatched to bring him home. But that captain, pretending to meet with great storms on the coast, returns back to Plymouth to tell only what the defects of his ship are under magnified terms, and, although there is order to lay her up, yet the Commissioner there seems to be of opinion she may be refitted in a fortnight. But the season is lost, and before another ship can go and come, all inquisition proper to this nefarious practice will be checked.

"This is the connection of matter that hath diversely and upon good authority come to my knowledge." [*The handwriting resembles Dummer's.*]

COLONEL JOHN MICHELBURNE, late Governor of Londonderry. —Petition on behalf of himself and the regiment lately under his command, to the House of Commons.

[1699.]—Upon his petition to the House in 1698 for the arrears of pay due to him and his regiment, a committee reported that 15,941*l.* 18*s.* 6*d.* were due to them, and recommended him to the King's consideration. But he has received no benefit as yet, and hearing that a bill is to be brought in for the reassuming of forfeited lands in Ireland, to apply them to the use of the public, he prays that he and his regiment may be recompensed out of such forfeitures.

Accompanied by Colonel Michelburne's case.

There were seven regiments in Derry during the siege, but five of them were "made up amongst themselves without commission" and disbanded by Major-General Kirke when the siege ended. Colonel Michelburne's was joined to the English army under Duke Schomberg after the siege, and served for ten months, and has been recognised as part of the establishment by the Lords of the Treasury. The only other regiment taking part in the siege which is on an equal footing with his own is Colonel Baker's, that of Dr. Walker not being on the establishment, although it served after the siege. It is computed that 60,000*l.* might satisfy the whole people that acted in that eminent service.

Query, whether Col. Michelburne (to whom principally the preservation of Derry is due, because he had been a soldier from his youth and managed the garrison according to the regular methods of war), may not deserve of the House of Commons to be recommended to the King to be restored to the Governorship of Derry with a handsome salary for life, or to be recompensed out of the forfeited lands; and have his personal pay paid him for the time when he was governor, he having been put to great expense.

Navy Accounts.

1699 [-1700], January 29. Navy Office.—"An account of the proportions of money granted in this present session of parliament for the services of the navy and to the several heads thereof, according to the votes of the House of Commons of December 6th, for paying off ships, and of December 21st, for maintaining 7,000 men at sea for 13 months, at 4*l.* per man a month; and of January 16th, for providing for the ordinary and extraordinary repairs of the navy."

Total—956,342*l.*

Popish Practices in London.

[1700, circa February 24.]—Memorial to the House of Commons.

"In reference to the bill ordered to be brought in for suppressing the Popish growth in this kingdom, the source of the complaints made against the French refugees for their exercising to the prejudice of the English people their respective callings . . . comes from the Papists' settlements in this city of London, and from the great business that accrues to them thereby.

"These Papists have the best customers, admittance into the chief of the nobility's houses; they serve the Court, and the officers belonging to it; their party being always stirring, and altogether applied to uphold themselves and get a footing. This may be justified when it shall please the House to command."

French Papists practice as lawyers, and are admitted to the College of Physicians, in contravention of the Statute Jac. I.,

cap. 5. By the same statute the exercise of callings is forbidden to all English Papists, "when from St. James' to Charing Cross there is above a hundred French Papists, shop-keepers, or of other callings within the Act." By the same statute Popish books are forbidden to be sold, "but now the booksellers' shops are full of them . . . and a bookseller, a Papist, is suffered to keep shop in Drury Lane.

"By a statute of Jac. I., every person whose wife is a Papist is disabled to have any office in the Government; but in the parish where I live Papists have been chosen to collect taxes, and are come to my house to demand them.

"The number of French Papist cooks, *valets de chambre*, butlers and servants to persons of quality exceed the number of French Protestants of the same office. The worst is that these Papists take Protestant wives, and make them afterwards change their religion: hereby the growth of Popery is remarkable.

"Our envoy at Florence is not allowed a minister; he is not the only one without such a person in his family, yet we see here two ministers of the Emperor, the Count d'Aversberg and Mr. Hollman, who have each Popish service in their house. I am sure no minister of a Protestant king would be allowed this. It has been signified to the ministers of the Popish princes not to admit in their chapel service any of his Majesty's subjects. This suffices not: they are to receive orders but from their masters. Guards must be set to the entrance of their chapels. The little commonwealth of Geneva has at this day the courage to do it.

"It is very important to hinder French Papists to keep taverns, alehouses, coffee-houses and the like. It is the harbour of all the villains that come from France.

"Most of the dancing-masters [and] players of music are Papists; all French. They have more access to persons of quality than the most honest French Protestant.

"One Lacoste, a tailor (French Protestant) had agreed with the merchant and agent of the First Troop of Guards to make the clothes; but the captain broke the bargain to give the custom to a Papist. A little while since one of the first ladies in England has left her Protestant tailor to take a Papist."

Captain Gullock's Papers.

1699 [-1700], March 4.—1. Letter from Thomas Gullock to the Governor and Council of the Massachusett's Bay, praying for release from certain charges for the capture and maintenance in prison of Bradish, Gillam and other pirates who had seized and run away with his ship, the *Adventure*. He cannot see that his owners ought to be called on to pay 7*l.* for the constable's clothes, nor yet for curing Gillam of a pleurisy.

2. Order of the Council of the same date, for committing Captain Thomas Gullock to prison.

3. March 5.—Petition and submission of Captain Gullock. "I am heartily sorry that any mistake or imprudent action of mine hath been the cause of this treatment, so very different to what I ever found, and I heartily pray your Excellency and Honours to pardon whatever was amiss, or so judged in that paper, and that I may be enlarged and this unhappy accident pass wholly by."

4. March 25 [*sic, should be* March 5].—Order of Council for Thomas Gullock, "yesterday committed," to be discharged and freed from his imprisonment. *Copies.*

THE EARL OF BELLOMONT to SIR HENRY ASHURST.

1699 [-1700], March 5. Boston.—Acknowledges his letter of December 13th, and thanks him for defending him in the House of Commons. It is surprising that a party of men should interrupt the business of the nation and trifle away time in such an attack, more especially as they knew that Kidd and his effects had been seized and were being sent home. He has no private interest in favour of the appointment of any other agent, and would prefer the continuance of Ashurst. But the Assembly will not be influenced, and in money matters neither know nor favour anyone. Only a few months ago they refused his application for a pension of 10*l.* to a poor woman whose husband had been killed by the bursting of a gun in the fort. However, he will do his best to move them.

Congratulates him on the marriage of his daughter to Sir Richard Allen, who, he is sure, "is as happy as a man can be in a wife." Desires to be informed "how the families of the Harleys and the Foleys behaved themselves in the House of Commons when the outcry was against us lately." *Copy.*

THE EARL OF BELLOMONT to SIR JOHN STANLEY.

1699[-1700], March 5. Boston.—"I send home every scrip that was taken with Kidd or any of the pirates now sent home. I desire you will try whether anything will be allowed me for the pains I have taken, which, I assure you, have been extraordinary." The gold and jewels Kidd had nothing to do with; they belonged to James Gillam, who is also now sent home.

"I am told that as Vice-Admiral of these seas, I have a right to a third part of them: if the rest of the Lords come in for snacks, I shall be satisfied; but that Sir Edmund Harrison should pretend to a share of what was not taken by Kidd is very unreasonable. I desire you will vindicate my right in this matter." I see no reason why I should do any more than pay Sir Edmund the principle and interest of the money he laid out for my proportion of the *Adventure galley*; and so much I think myself obliged to in honour and conscience: but "he gave me a terrible hard Presbyterian grip in the articles between him and me, and so I write to Mr. Secretary Vernon."

I shall be undone for want of a sufficient salary. "I find my Lord Chancellor and Mr. Secretary Vernon think it reason-

able I should have salaries of 2,500*l.* *per annum* for my three governments, as I desired; but then, that thought, I fear, comes into their heads no oftener than I write to them about it. The truth is, I want a friend to put them in mind of me, and who you have made agent I know not. . . .

"I would say something about my sons, but that I do all I can to hasten the ship away with these pirates, to put my friends out of pain, who seem to fear Kidd's escape. If I have not the salaries I have desired, I intend to write to be recalled, and so will see you in England before next winter." *Copy.*

THE EARL OF BELLOMONT to SIR EDMUND HARRISON.

1699 [-1700], March 5. Boston.—Sends him a list of thirty-two pirates going home in the *Advice*. Their effects are consigned to Mr. Secretary Vernon, a person to whom neither the Lords of the Treasury nor any of those concerned in the outset of the *Adventure* galley can take exception. Mr. Secretary Vernon will let him have a copy of the inventory. He is unable to write more owing to a fit of the gout, and the very great amount of work in trying to get these pirates away. *Copy.*

Annexed.—List of the 32 pirates, including Kidd, Joseph Palmer, Edward Davis, Joseph Bradish and James Gillam, alias Kelly.

THE EARL OF BELLOMONT to the DUKE OF SHREWSBURY.

1699 [-1700], March 5. Boston.—"I am heartily vexed to understand that some angry gentlemen in the House of Commons put so hard a construction upon a well intended undertaking, however unlucky it proved; and that your Grace's name should be brought on the stage with some other of your friends; and it seems the harder to me that such a clamour should be raised about Kidd when it was known I had secured him and his effects, and sent an exact inventory home to the Ministers. This man-of-war carries every scrip that belonged to Kidd and the rest of the pirates; and nothing but the necessary charges taken out. I hope the East India goods and treasure that's sent will amount to 20,000*l.*, which will reimburse everybody, if the King will consent it shall be so; for I doubt Kidd will be proved a pirate, and then the King's grant will be necessary.

"My friends write me word from England that you were going to be married, which is most pleasing news to me; for I could wish with all my heart to see some of your Grace's race in the world.

"I send your Grace a white beaver skin, which was brought me two hundred miles by an Indian Sachem for a great present. It passes here for such a rarity that they tell me such a thing is scarce seen in an age. To add somewhat that may help to make my present acceptable, I also send a dozen bottles of spirit of China oranges and of citron; half one and half the

other, sent me by a lady in Barbadoes, who has an extraordinary hand at those things. The citron has the flowers of that tree in it, I suppose for ornament."

Postscript.—"I wish your Grace much joy of the Lord Chamberlain's staff.

"They tell me here the moths will be apt to spoil the beaver skin unless care be taken. It is sullied at present, and will be whiter when it is washed or cleaned by a furrier." *Copy.*

THE EARL OF BELLOMONT to the LORDS COMMISSIONERS FOR TRADE AND PLANTATIONS.

1699 [-1700], March 6. Boston.—I am now sending home all the pirates I have here, Kidd's men and Bradish's, to the number of 32; and to Lord Jersey, certified copies of the evidences and examinations, the same as I formerly sent to your Lordships; except that there is a further examination of Joseph Palmer, one of Kidd's men, which discovers something that is material against Kidd. A former deposition by this man was sent with the others, but this contains a further discovery about Kidd. "He has good relations in Rhode Island, and a fairer character than one would expect of one of Kidd's crew." He declares—and, if true, I believe it will entitle him to the King's mercy—that "he served on board the King's ship *Duchess*, and was impressed and compelled to go on board Kidd's ship; for Captain Stewart, who commanded the *Duchess*, had impressed all or most of Kidd's men," and when ordered by the Admiralty to return them, "did not mind to restore the same men to Kidd, but the same number."

The Governor of Rhode Island has a number of pirates there, but refuses to send them, although I sent him a copy of the King's order. He says he is advised that he ought not to send them, as they never had anything to do with Kidd or Bradish. I formerly told you of some attempts to break out of prison, made by Bradish, Weatherly and Gillam. I have since committed to gaol a man named Odall, who was endeavouring to convey a letter to Bradish; but he will not discover his accomplices.

Notwithstanding the order from Mr. Secretary Vernon to send home all the effects of the pirates, Gardiner, the deputy collector of Rhode Island, refuses to deliver up such as are in his hands, and "has writ me an evasive, tricking letter. . . He is a very ill man . . . Captain Gullock assures me that a silver tankard of his, that was in the ship Bradish ran away with, was seen in Gardiner's house." There is also a quantity of gold, that was left with him by Gillam. 'Tis scandalous that such a man as Gardiner should be in the King's service. The power of appointing deputy collectors, which the commissioners now have, ought to be withdrawn; it is certainly hurtful to the King's service.

For their better security, I have sent the four capital pirates —Kidd, Gillam, Bradish and Weatherly—on board the *Advice*. I am continuing my search for the treasure which Kidd brought

upon the coast, but without much success. A Captain Thomas Clarke was said to have some 10,000*l.* or 12,000*l.* in his hands, and I have him confined in the fort at New York. I was in hopes he was going to give it up, but some pettifogging lawyers have advised him to set me at defiance, and had the confidence to press the judges for a writ of *habeas corpus*. As they refused to grant it, these lawyers now threaten to sue them for damages.

An account of the goods and treasure now sent home and of the charges, is enclosed. I am by law entitled to two-thirds of the sloop; but for all that, I send her to Engand with the rest of the effects, for I will challenge nothing for myself for the merit of having taken a world of pains and care to secure those pirates and their effects. "I also send home a negro boy and girl, which Kidd, at his first arrival here, made a present of to my wife; but she would not accept of them, and they were put to board till they could be disposed of with the rest of Kidd's effects." *Copy.*

THE EARL OF BELLOMONT to SIR THOMAS LITTLETON, Speaker.

1699 [-1700], March 7. Boston.—"You have obliged me infinitely by the account you have been pleased to write me of the attack made against some noble lords and myself in the House of Commons, where I little imagined my name would ever be brought on the stage; and 'tis wonderful to me that my Lord Chancellor and the Duke of Shrewsbury, the two greatest and most valuable men we have in our nation, should fall into the disfavour of those gentlemen that made the number of 133, and were for that bloody and dreadful question. But this shews what the zeal of a party will do, not to call it worse, for I always speak and write respectfully of all that is done within those walls. I am sensible enough I was only named by that part of the House because I was so in the grant, and that the forementioned Lords were they that stood their mark, and for whom they intended their poisoned arrows.

"I send you a list of the pirates . . . they are thirty-two in number. I expect about a dozen more from the other Governments on this continent . . . . and I will send them home by Rear-Admiral Bembo, whom I expect here within a month." *Copy.*

THE EARL OF BELLOMONT to LORD SOMERS.

1699 [-1700], March 7. Boston.—"I hope everything will answer your Lordship's wishes with respect to Kidd's and the other pirates being secured by me, and now sent home under care of Captain Wynn. . . . You will see by my letter to the Council of Trade what hazard there has been of the prisoners escaping. . . . . The preserving Kidd and the rest and hindering their escape out of prison is in great measure owing to the rewards I gave the sheriff and keeper of the prison here, and the caresses and good words they had every day from

me: therefore I hope you and the rest of the Lords concerned will not think me over liberal." Prays him to promote his request for an increase of salary.

"I am in great perplexity about the Indians," for everything happens in such a way as to "distract all my measures for keeping our five nations of Indians steady to us. Besides the reasons I have now given the Council of Trade about Captain Schuyler and Mr. Livingstone's discontent upon the score of victualling the companies, there is another reason not fit for them to know; which is that Mr. Livingstone is fallen into a fit of melancholy, and has removed from Albany to a farm he has between that and New York, resolving to meddle no more with business; and that because he, his wife, and his relations are frightened out of their wits at his bond's lying for Kidd. . . . Colonel (*sic*) Schuyler is the most popular man in that province with the five nations, having the last war fought in company with them against the French once or twice, and behaved himself well; but he is not a man of head, nor can I depend on him, he being of Fletcher's faction. Mr. Livingstone is married to Schuyler's sister, yet they love not one another; and Livingstone having much the advantage of the other in point of understanding, I put him into the management of the five nations to balance the other's interest and the influence he has on them. I desire you will consent to my giving him up the bond and articles. . . . Mr. Livingstone, when he was here, was heartily troubled and ashamed at Kidd's villainous behaviour, and to reflect that he had been the means of engaging you and the rest of us to be concerned with that monster; which truly put me in charity with Mr. Livingstone, that he had no design of harm to us, but was deceived as well as we.

"Kidd, I am fully satisfied, might have taken the *Mocha* frigate with a vast deal of wealth had he been honest; but Joseph Palmer's deposition . . . will convince you he never attempted taking her, but just the contrary. If Palmer by what he has discovered and shall discover towards the conviction of Kidd, when he comes into England, shall be thought serviceable, I entreat you to intercede for the King's pardon for him. The man seemed on his examination to be an honest young man in his own nature; and this is to be said for him, he went not voluntarily with Kidd, but was pressed from on board the *Duchess* by Lord Orford's order, and forced on board of Kidd's ship. I am heartily sorry to understand my name was brought on the stage in the House of Commons, and that you and the Duke of Shrewsbury met with that hard fate too. The last thing in the world I should desire my friends or I underwent [is] the censure of an English House of Commons. I am told Jack How broke the first ground, as they call it, in opening trenches at a siege. I find all his poison is not in his breath: there's some too, in his tongue. 'Tis a little hard that after I had taken care to secure Kidd and his effects and sent home a faithful account of the latter, that should not

atone for the misfortune of a design honestly intended though roguishly executed. The words in the question are thunder and lightning, and let off in colours as black and terrible as if it had been treason and rebellion to procure that grant of pirate's goods. By a letter I saw from Mr. Clement last summer to a person of his acquaintance I guessed there was something brewing against us upon Kidd's account . . . I had a happiness in the man's quitting me . . . for he is far from being the honest man I took him to be: he made me up the knavishest account for the soldiers' clothing at New York that could be."

Hopes that thirty dozen of Madeira wine have been delivered to Lord Somers. "There is a white Madeira, which is called the Jesuits' wine, and, I think, equals any of the Spanish mountain wines so much liked of late in England . . . Those Jesuits there so engross it that it is a hard matter to get any; and I never tasted of that sort of wine but in two houses since my being in America."

I hope that you may continue "to be the ornament and support of a true English administration; and that in spite of all the King's enemies." *Copy.*

THE EARL OF BELLOMONT to JAMES VERNON.

1699 [-1700], March 7. Boston.—"My Lord Jersey has sent me the King's orders this time, and writes that I am in his province, which I knew not before . . . I have sent home by Captain Wynn all the pirates I had here, and that were in Connecticut." You will find in my letter to the Council of Trade a particular account of them and their effects. As I am directed to send a trusty person in charge of these, "I have singled out Captain Hunt, whom I take to be a right honest man. . . . I hope his just performance of this service will recommend him to your favour to have a company of foot, if any new ones be sent over. . . .

"If the King is pleased to give us that fitted out the *Adventure galley* all the effects seized with Kidd in consideration of the charges we were at, yet I desire you will take notice that there was some pounds weight of gold and all the jewels now sent home, that belonged to James Gillam, whom I now send home a prisoner, who was not of Kidd's company, and only came home with him from Madagascar as a passenger. I am very well satisfied all the Lords concerned with me may have their share of Gillam's gold and jewels as well as I, though I am told here I am entitled to a third part of them, as I am Vice-Admiral of these seas; but then I utterly disclaim Sir Edmund Harrison's and Mr. Livingstone's having any manner of share in them, for they were to be concerned only with what treasure Kidd should lawfully take. I make a question whether I be obliged in honour to do more than pay Sir Edmund Harrison the money he laid down for me, with the full interest thereof, in case the King gives us the benefit of Kidd's effects; but for that matter I will do as the Duke of Shrewsbury shall do by

Sir Edmund; the Duke and I being on the same foot with him, excepting that Sir Edmund laid down my full proportion of the money for the outset of the galley, and but half of the Duke's; but I have reason to grudge Sir Edmund any further advantage than what is just, because he used me not well in our bargain; for at first we had agreed upon much more reasonable terms for me than afterwards he would stand to, when he had made me depend on him for advancing the money, and saw that . . . . I could not easily otherwise raise it, he then gave me a Presbyterian gripe, and fettered me in the writings between us.

"I have desired Sir John Stanley to wait on you, and I depend on your friendship and his in taking care of my interest . . . I know not how much I am to be the better for these pirates and their effects; but I am sure they have cost me more trouble and torment than ever I met with in any business during my whole life. I have delivered myself fairly of them, and can safely say, and swear too, that I am not a brass farthing the better for them, directly nor indirectly; but I am hitherto so much the worse, that I now find the want of that money I laid out for taking them . . . and know not which way to turn myself. This is a very dear place to live in. I have not 50*l.* left of the 1,000*l.* given me by the Assembly, which naturally leads me to renew my former request to you of getting me an establishment of the salaries I formerly proposed, without which it is impossible for me to subsist or continue governor of these provinces. I have so nicely observed the King's instructions which restrain my acceptance of any presents from the Assemblies of New York and New Hampshire, that I have not touched the money they gave me, and will not, till I have the King's leave. If I had been so tied up in this province, I had been bankrupt long since, and must have run the country."

As the Lords of the Treasury leave me at liberty in the matter I have consigned the pirates' goods and treasure to you, "as I know your respect for my Lord Chancellor and the Duke of Shrewsbury, and that you will take their consent in the disposition of those things. . . Sir Edmund Harrison has a mind that they should be consigned to him; but I do not think that proper; it would, for aught I know, draw a fresh clamour on our heads, that, after I had the King's positive orders about sending over those effects, I should give his Ministers the go-by, and direct them to a merchant . . . In directing them to you that are a Minister, I acquit myself with decency to the King and to the Lords of the Treasury, and to the satisfaction of the noble Lords concerned.

"I am vexed at the attack made against those noble Lords and me in the House of Commons, where I little expected a design so honestly meant would have been so grossly misconstrued; but, God be thanked that we have escaped the malice of a party of men that were so manifestly biassed. 'Twas lucky, I find, that I secured Kidd.

Joseph Palmer's last evidence, now sent, "is pretty home against Kidd." He was one of Kidd's men, and is now sent

home a prisoner. His friends are said to be substantial people, and if he confesses all he knows at Kidd's trial, he may, I hope, deserve the King's pardon. In order to his making a confession, it were not amiss perhaps if you suffered his sister, Mrs. Byer, who goes over in the sloop, to solicit the King's pardon for him, to speak with you. She could easily persuade him to tell the whole truth, and a frown from you would make her endeavour it.

"I now send home all the evidences we have against Kidd and the rest of the pirates, authenticated by a certificate under my hand, and the seal of the province affixed to them . . . They are all sent to my Lord Jersey. The Council of Trade and you had all those evidences sent you before, except this new one of Joseph Palmer's."

I have lately seen a letter from a French gentleman "living at Pesmoncady, which is the Indian name for the river Ste Croix," which says that M. de Villebon, Governor of St. John's, has been making enquiries about the boundaries of Acadie, and that he is assured by the oldest inhabitants that that country and Hudson's Bay were first settled by Scotsmen. If Villebon reports this to his Government, it may make the French Commissioners apter to yield.

I am told that Captain Bromwell of the *Samuel* or Captain Hyde of the *Dorrel*, East India men, both of whom have lately come home, and are living at Mile End, beyond Whitechapel, can give important evidence about Kidd's piracies.

Colonel Courtland, the Collector at New York, has forwarded me a packet intended for France, which has been sent to him "by Bruyas, the Jesuit that came with Major de la Vallière on a compliment to me from the Governor of Canada . . . If you open it—which I think not so proper for me to do—I believe it may discover some of the Jesuits' intrigues to inveigle our Indians . . . Pray manage this affair of the Jesuit, so as I may not be blamed by your brother Secretary for not sending it to him."

Captain Gullock, after all the civility and good usage he has received from myself and the Council, was so brutish as to thank and bid adieu to us last week in a paper of false and scandalous reflections against us. He had spoken to me of his intention, and I cautioned him against it, showing him that he owed much to me and the Council for our care and justice in securing the pirates and restoring the money his owners had been robbed of. He said he had all possible respect for me, but he would be very plain with the Council, "for their unjust detaining the thousand pieces of eight, which have defrayed the charges of retaking Bradish and Weatherly, and the prison charges, etc," and seemed to be very reasonable, as I told him. He nevertheless sent his paper last Monday, and for its insolence and falsehood we committed him to gaol, conceiving that the King's authority was highly affronted. "I send you the whole process, his libel, his petition, containing his retractation and submission, and the orders of the Council for his commitment and release; these papers not to be made use of unless

Gullock will still play the fool on, and raise a clamour when he goes home. In that case, I desire you will do us the justice to let these papers be seen. I lived in a very fair and friendly correspondence with him till this frenzy of his. He seems to be sordidly covetous; and I believe the regret of parting with the thousand pieces of eight has transported him to this foolish excess . . . He was in prison but one night." *Copy.*

THE CLERKS in the OFFICES OF THE KING'S REMEMBRANCER AND OF PLEAS IN THE COURT OF EXCHEQUER.—Petition to the House of Commons.

[1700, after March 26.]—The numbers of the sworn clerks and attorneys in these offices are fixed; and they have been accustomed to educate clerks who may be fit to succeed them, allowing them to practice in their names. But such clerks cannot be sworn until there is a vacancy among the sworn clerks and attorneys; and several of the petitioners have been practising in the offices for twenty years without having an opportunity to be sworn. Being informed that a bill has been passed in the Lords and once read in the Commons for reducing the number of attorneys and of such as practise in their names, they will lose their employment until there are vacancies to be filled, unless specifically exempted from the action of the said bill.

Note.—That petitioners do not solicit or interfere in any business except such as belongs to their respective offices.

Also a similar petition.

HOUSE OF COMMONS.

1700, March 30.—"An account of the names of those who were ballotted to be trustees in the Irish forfeitures, with the number of votes as appeared to the committee appointed to examine the lists."

133 names, *of which the first fourteen are given in H. of C. Journals for* 1700, March 30. *The names not given there include* Narcissus Luttrell, 91 votes.

DUCHESS OF NORFOLK.

[1700, February or March.]—"An answer to a printed paper, entitled, *The Case of Mary, Duchess of Norfolk.*"

RICHARD BURDET, ISAAC BETTS, BRIDGET BUTLER, ANNE HOLDEN, and others.—Petition to the House of Commons.

[1700, April 4.]—To appropriate money from what is appointed for the Navy to pay them 39,899*l.* 1*s.* 6¾*d.* owing to them on account of the Navy for many years past. Payment has been approved by the Commissioners of the Navy and the Lords of the Treasury. Several of the petitioners with their families are "ready to starve," and some are in prison for debt.

WILLIAM KIDD to the EARL OF ORFORD.

1700, April 11. *Advice*, Downs.—"The enclosed is copy of a protest drawn up at Boston in New England, the truth whereof those of my men that are prisoners with me are ready to attest upon oath; but it was not permitted to be done there. If your Lordship will be pleased to give yourself the trouble of reading it, you will find a plain and faithful narrative of my whole voyage in the *Adventure* galley, wherein there is nothing of moment omitted that was transacted in the said voyage. I know not what is generally thought of me, nor what is alleged against me, but I do assure your Lordship I have done nothing but what is punctually declared in the said protest, wherein if anything be accounted a crime, it was so far contrary to my sentiments that I should have thought myself wanting in my duty had I not done the same. I am in hopes your Lordship and the rest of the honourable gentlemen, my owners, will so far vindicate me that I may have no injustice, and I fear not at all but upon an equitable and impartial trial my innocence will justify me to your Lordship and the world.

"I doubt not but your Lordship is already informed of what effects were seized in the sloop *Antonio* in New England; but this I must needs declare in justice that there were several things of considerable value, whereof they have given no account, so far as I can learn. Besides what was contained in the sloop, there is in the *Adventure* prize mentioned in the protest (as near as I can compute) to the value of ninety thousand pounds, which is left in very secure hands, and I doubt not when I am clear of this trouble but to bring the same for England without any diminution.

"The enclosed list is the names of those men that left me at Madagascar and went on board the *Moca* Frigate." *Copy.*

Annexed is copy of the list, containing 94 names, and stating that there was one other which he could not remember.

Enclosure—

CAPTAIN KIDD'S PROTEST.

"In 1690 and 1691 I was in the King's service at the Leeward Islands, and lost a ship of my own of 18 guns, by the villainy of my men, who ran away with her whilst I was on shore. But before that misfortune I had performed so many good services that General Codrington, then Governor of those Islands, repaired my loss in some measure by giving me a ship named the *Antegoa*.

"In 1695 I came to England with this ship, laden with merchandises from New York, and was prepared to return to New York in the same vessel. But one Robert Livingston, a merchant of Albany, within the province of New York, being then in England, and having insinuated into the Lord Bellomont, who was then nominated Governor of New England, that several persons were gone from New York to the Red Sea, who would bring back good plunder, and might be easily taken in their return home, projected a design of fitting out a ship for that purpose, and obtaining a commission to seize those ships and any other prizes.

"This project was received by the Lord Bellomont, and all matters were adjusted betwixt him and the rest of the owners; and I was without my knowledge pitched upon to be commander upon Livingston giving me the character of a bold and hardy man.

"Then Livingston carried me to wait on my Lord Bellomont at his house in Dover Street, where both my Lord and Livingston urged me with many arguments to accept the command of this ship with the King's commission; which I refusing, the Lord Bellomont told me he was to be Governor of New York, as well as of New England, and would protect me from any charge or accusation to be brought against me; and that he had powerful friends in the Government, who would not let me suffer any damage or prejudice either in England, or elsewhere.

"I, notwithstanding, pressed to be excused, and to pursue my voyage to New York; whereupon the Lord Bellomont added threats to his wheedles, and told me I should not carry my own ship out of the river of Thames, unless I would accept the command of the ship to be fitted out for this design with the King's commission. I, thinking myself safe with the King's commission, and the protection of so many great men, owners, and being apprehensive that the Lord Bellomont might oppress me at New York if I disobliged him here, was prevailed on to accept the commission and command of the ship, upon the terms contained in the articles, since published, which articles, as I was informed, were drawn by one of the principal owners, and writ fair by my Lord Bellomont, so cautious were they of having the design known abroad.

Then Livingston carried me to the houses of the Duke of Shrewsbury, the Lord Chancellor, Earl of Romney and Admiral Russell, for my satisfaction that those great men were concerned in the expedition, where he discoursed them, but would not suffer me to see or speak with any of them; and only assured me that their several proportions of money to purchase and fit out the ship were ready to be paid down.

"Accordingly, in a short time after, Livingston collected their moneys, and paid them to me, and Mr. Harrison (now Sir Edmund Harrison) and Doctor Cox paid some money to me, which I believe was for my Lord Bellomont's share, which I now understand they bought of his Lordship.

"The ship being bought, rigged, manned and named the *Adventure galley*, the Lord Bellomont encouraged me to proceed, by assuring me that the noble lords above mentioned should stifle all complaints that should be made in England, and he himself would prevent all clamours in those parts where he was Governor by condemning all the goods and treasure I should bring in, and disposing of them privately, and satisfying the owners for such part as should be due to them. The Lord Bellomont delivered private instructions to Livingston, which would either justify me or charge them with any miscarriages committed; but Livingston keeps them in his custody.

"Before I went to sea I waited twice on my Lord Romney and Admiral Russell (now Lord Orford), who both hastened me to sea, and promised to stand by me in all my undertakings.

"At the Buoy in the Nore Captain Steward, commander of the *Duchess*, took away all my ship's crew; but Admiral Russell, upon my application to him at Sittingbourne, caused my men to be restored to me.

"In my way to New York I took a French prize, which I carried to New York, where she was condemned and sold; and with the proceeds of it I refitted the *Adventure* galley. I then sailed towards the East Indies, and there took two ships, and no more, both which had French passes from the Governors of the French factories there.

"Upon the rumour of my being declared a pirate, I went for New England with intent to surrender myself, and carried a great part of the treasure and goods I took in those prizes. As soon as I arrived, I sent an account of my proceedings to my Lord Bellomont, who by a letter approved of what I had done, encouraged and invited me to come ashore, treated me very civilly for some days, and then seized me with my effects, commissions, instructions, accounts, French passes and his own letter that he had sent to me from Boston, all of which he promised to send over to England.

"But now that I have notice of my trial, and have demanded all instructions and papers taken from me necessary for my justification, the instructions, the French passes, my Lord Bellomont's letter, and my accounts are detained from me, without which it is impossible to make my defence, notwithstanding my commissions, and I must be sacrificed as a pirate to salve the honour of some men who employed me, and who, perhaps, if I had been one, and they could have enjoyed the benefit of it, would not have impeached me upon that account.

"But the French passes will justify my proceedings, and for me to plead to an indictment without having them to produce, will be to brand myself for a rogue and fool, and to cast away my life for other men's faults and not my own.

"I have no money to support myself, or to manage my trial, the Lords of the Admiralty refusing to let me have any of my effects for that purpose.

"I do therefore most humbly pray that I may not be hurried to trial till Livingston be brought under examination, and the French passes and other papers taken from me be restored to me." *Signed.*

Navy Lists.

1700, April 17.—"A list of the ships designed for the Baltic under command of Sir George Rooke," sixteen in all, giving the numbers of the crews and of the guns, and the commanders' names.

THOMAS BATEMAN.

1700, September 23.—Petition to Commissioners of Customs. Having been appointed collector of the duty on coals for St. Paul's, to commence at Michaelmas, 1700, by the Archbishop of Canterbury, the Bishop of London, and the Lord Mayor, he prays for a seat at the Custom House, for the better execution of his duties.

Minuted.—Read and referred to the Usher of the Custom House without answer. *Copy.*

MONIES for ST. PAUL'S CATHEDRAL.

[1700, October?]—"State .of account of all monies received and paid as well for and toward the reparation of the Cathedral Church of St. Paul's, London, before the great and dreadful fire, as for and towards the rebuilding thereof to the 29th of September, 1700, at which time commenced anew a duty of 12*d.* *per* chaldron upon coals, to carry on the fabric," showing a debt of 16,558*l.* 12*s.* 1½*d.*

JOHN PHILLIPS to ROBERT HARLEY.

1700, December 7. Navy Office.—Mr. Miller, master shipwright at Woolwich yard, died last night. Begs him to write in his favour to the Commissioners of the Navy, without whose recommendations the Lords of the Admiralty will not dispose of the employment.

Enclosing:

Case of John Phillips.

Was bred in the service of the navy from his youth, and was an assistant to the Surveyor of the Navy till the end of the late war, when he was retrenched; but the employment of master shipwright at Kinsale becoming vacant, the Commissioners of the Navy were pleased to recommend him for it, by their letter to the Secretary of the Admiralty of August 3rd, 1698. On November 15th, 1698, the Secretary of the Admiralty replied that their Lordships did not think this employment worth Mr. Phillips' acceptance; and since that time he has been out of employment. In June last he was offered 800*l.* per annum to serve a foreign prince, but declined the offer; upon which the King recommended him to the Lords Commissioners of the Admiralty by Mr. Secretary Vernon's letter of July 23rd, 1700.

Also his petition to the Commissioners of the Admiralty, for employment in one of his Majesty's yards when there may be a vacancy.

CAPTAIN KIDD.

1699-1700. Extracts of letters from the Earl of Bellomont to the Lords Commissioners for Trade and Plantations, dated July 26th, August 28th, October 24th, 1699, and April 23rd,

1700; Memorial of John Ruggles, mate of the brigantine *Primrose*, of Boston, August 25, 1699; Letters from Colonel John Yeamans, Lieutenant-Governor of Antigua, to the Earl of Bellomont, September 1st, 3rd, 1699; Letter from J. Lorents, Governor of St. Thomas to the Earl of Bellomont, September 1st, 1699; Letter from Mr. Secretary Vernon to the Commissioners of Trade, November 30th, 1699, conveying the King's commands to send an instruction to Colonel Codrington as to endeavouring to recover the plunder of Kidd, the pirate, and enclosing an extract from the Earl of Bellomont's letter to him, dated September 8th, 1699, giving the latest accounts of Kidd's reputed confederates in the West Indies; Letter from the Commissioners of Trade to the King, dated December 7th, 1699, enclosing "draft of an instruction to Colonel Codrington, Governor of the Leeward Islands, relating to Kidd's goods and his accomplices Burke and Bolton, and to Sir William Beeston"; Order in Council of December 7th, 1699, directing an instruction, according to the draft, to be prepared and sent out to the respective Governors of the Leeward Islands and Jamaica; Information of Henry Bolton, dated February 4th, 1700. He was born in Worcestershire in 1672, and in 1697 was appointed Collector of Customs at Antigua. In 1698 he quitted that employment and followed merchandizing about the Leeward Islands. In April, 1699, being in his own sloop, *St. Antonio*, becalmed to the north of the island Mona, he fell in with Kidd. He went to Curaçao on Kidd's account to get him a sloop and procure him some buyers for his calicoes and muslins; afterwards he rejoined Kidd, who took his ship into the river Higuey, in Hispaniola, and moored her across it, to stumps of trees or rocks on shore. Then he sold the *St. Antonio* to Kidd, who put part of his cargo on board her, and left Bolton in charge of the ship, whilst he went to New York, promising to return or send some other persons with necessaries within two months. Meantime Bolton was to do what he could in selling the cargo still on board for the benefit of the owners, who, Kidd told him, were, besides himself, Lord Bellomont, Lord Orford and Sir John Somers. Kidd shewed him also a commission under the great seal, signed at the top WILLIAM REX, and another commission signed by the Lords of the Admiralty, which, Kidd said, empowered him to take pirates and the subjects of the French King. After Kidd's departure, the seamen left behind stole the best part of the goods remaining on board; but of this he knew nothing for five weeks, and if he had known it, he could not have prevented it, as there were eighteen of them, and he had no one with him but one negro boy. But when the men understood that he was aware of their plundering, and as the time was drawing near when they might expect Kidd back, they broke out in open mutiny, declared they would leave the ship, and did do so in spite of all Bolton could do, except three men. He stayed on board a week longer, when, learning that the Spaniards of St. Domingo were arming out a brigantine to come and take the ship, he left her

where she was, in the river Higuey, and went to Curaçao, where the Governor and Council of the island openly protected the runaway seamen. For himself, of the produce of the goods left by Kidd, he did not receive more than 380 pieces of eight, which was much less than his charges.

Captain Kidd.

1695-1700.—Three sheets in book form, containing:—The *Adventure galley's* company's account; Mr. Livingston's bond in 10,000*l.* for performance of articles; Captain Kidd's bond in 20,000*l.* for performance of articles; Daniel Honan's receipt to Captain Kidd for the King's tenth and Governor's fifteenth of a French prize taken by Kidd between England and New York; Articles of agreement made and concluded on September 10th, 1696, between Captain William Kidd, commander of the *Adventure galley*, and John Walker, quarter-master to the said ship's company. Signed by William Kidd and the ship's company. *Copies.*

Captain Thomas Smith, of Oreson, near Plymouth, Mariner.—Petition to the House of Commons.

[1699-1700 ?]—Was in 1696 preferred to the command of his Majesty's ship the *Germoone Prize* by the Lords of the Admiralty, and was two years later turned out of his command by the said Lords, with no reason given, to make way for Mr. Gething, formerly a lieutenant under the Earl of Orford, and for nearly sixteen months since his expulsion he has applied daily to the said Lords for answer or redress: he prays for relief.

New Year's Gifts.

[About 1700.]—Observations concerning an article of 231*l.* 15*s.* for new year's gifts at the Treasury and Exchequer for the year 1700; with several notes and queries.

Lords of the Admiralty to Commissioners of the Navy.

1700 [-1], January 4.—We enclose a new Body of Instructions for the Commissioners for Victualling, that you may cause a copy to be made to remain in your office. When you have so done, you are to transmit the original to the Commissioners of the Victualling; and if at any time you observe that the said Commissioners do not endeavour to their utmost ability to comply with the several articles of these instructions you are to represent the same to this board.

Enclosing—"Instructions for the Commissioners for Victualling his Majesty's Navy." *Copy.*

Great numbers of POOR PRISONERS IN THE SEVERAL GAOLS in the Kingdom of England.—Petition to the Speaker.

[1701, January?]—They are reduced to extreme poverty and unable to satisfy their creditors. They therefore pray the Speaker to promote the reading of a bill for their relief.

JOHN JENNINGS to ROBERT HARLEY.

1700 [-1], February 7.—On behalf of his son John, a tidesman in fee at Bristol, who would long ago have been promoted had he not depended on Mr. Colt's many promises, and who wishes to be employed either as surveyor or landwaiter. Encloses a certificate of his sufficiency for the post.

Postscript.—The Surveyor of Beechley is likely to die, and he prays that his son may be nominated to succeed him.

Enclosed is certificate alluded to, dated November 6, 1697, Bristol, and signed by seven officers of the Customs at that port.

———— to ROBERT HARLEY, Speaker.

1701, February 21.—" This morning the person mentioned in yours came to me, and will not fail of being with you by seven this evening. . . . Though I know you are always on your guard, even with those men you have a value for their abilities and integrities (*sic*), and need not be cautioned, yet you will forgive my mentioning it; for you know I talk with all men and hear what they say: as I have with some lately, that declared how great a value they have for the Speaker, and believe him a true Englishman, and that he aims at the good of it; but that he is unhappily at the head of a party; that 'tis impossible for him to accomplish it, for they will then leave him: and gave an instance of their doing so when Tuesday last Sir Ed[ward] S[eymour] and Sir Ch[ristopher] M[usgrave] were against Mr. H[arcour]t and Mr. Bromley, etc.; and if it had then come to a question they would have divided against one another. And the very person you will see this night was forming a project to break all parties in the Houses by engaging fifty or sixty men of moderate principles to join together, and who should publicly declare they would as one man join against all parties; and he did not doubt but their number would soon be trebled.

" Your friend Mr. How has said that his enemies kept him out of the House, and there are others have taken care he shall not come into it."

SIR THOMAS GLEANE, Baronet.—Petition to the House of Commons and the Speaker.

[1701, March.]—Has been nearly three years in the Fleet prison in great distress and want, having had no other support "but the daily issues of the merciful and watchful eye of Providence, and the daily alms of the worthies of this land." There are now in prison for debt about 60,000 persons within the realm, who

were useful and profitable subjects when at liberty, locked up and crowded so close together that they and their families are become a burden to the nation and a danger to the health of those who are at liberty; and many of them are not only able but willing to take up arms to support the interest and renown of their King and country. Prays that the Commons will cause such an act to be passed this Session as will deliver such of them as are *bona fide* insolvent out of their languishing and tedious captivity.

Annexed is a letter from the petitioner dated March 6, 1700-1, thanking Harley for the relief which he had received through his (Gleane's) daughter, and beseeching him to present the enclosed petition to the House of Commons.

Sir Edward Dering to Robert Harley.

1700-1, March 8.—Praying him to have the enclosed petition brought before the notice of the House, and to give leave for the introduction of the enclosed bill; naming several members who approve of it as conducive to the advantage of woollen manufactures in England.

Enclosing printed copy of the petition, *for which see H. of C. Journals, vol.* XIII, *p.* 570.

Also printed copy of "Reasons for a bill in parliament for the improvement and better carrying on the trade of the woollen manufactures of England by a company in a joint stock."

Hugh Speke to Robert Harley, Speaker.

1700 [-1], March 8. Exeter.—I have sent you a petition to be put into your hands by a friend in the lobby, as you are going into the House, to be laid before the House according to your duty.

I will be bold to say that no case was ever parallel to this of mine that ever came before the House; my affairs consisting of several different things and kinds not to be expressed and set forth in a petition, both as to the services I have done his Majesty and the present government, and the treatment I have received from it by the ill-will of some certain persons; and nothing can do me either right or justice but my appearing before the House to declare what I have to say, and to make good the allegations in my petition.

"My affairs have been private intrigues of state, carried on all along ever since the late happy Revolution, for the real service of his Majesty . . . and were communicated by me to his Majesty . . . but to very few persons besides. . . .

"As no judge or jury can possibly be judges of these affairs of mine, and which are only proper to be laid before this honourable House, so neither can I possibly have or command by a *sub pœna* such persons and papers to be brought before any court, which I must of necessity have to vindicate myself; . . . which an order of the House can command without much trouble or charge either to me or the persons I shall summon."

BILL FOR REGULATING PRISONS.

[1701, March 22.]—Reasons for suspending the bill for regulating the King's Bench and Fleet prisons, till the debt due to the Earl of Radnor, assignee of Mr. Bolter, be fully satisfied. Quoting precedents of compensation allowed by parliament on sanctioning public improvements.

Also " Reasons against Lord Radnor's proviso."

ELIZABETH MALLORY, Widow, and ELIZABETH FOULKS, her grand-daughter.—Petition to Robert Harley, Speaker.

[About 1701, March.]—The aged petitioner has lost five sons in the service of the government, together with the father of Elizabeth Foulks, and their whole fortune seized. Her late Majesty granted a pension of 200*l.* per annum to petitioner's daughter and trustee Elizabeth Wandesford; and on the 3rd of May, 1699, his Majesty granted forfeited lands in Ireland to the clear yearly value of 200*l.* to the said Elizabeth Wandesford for ninety-nine years in lieu of the said pension. But by reason of the late Act for the sale of forfeited lands, petitioners can have no benefit of the grant, and are left destitute in a strange land with a family of orphans; and since the letter of the Duke of Leeds, whose relations the petitioners are, to Harley on their behalf in the last session, they have suffered from extreme want and from the severity of their creditors. Some of their family are in prison, " others fled from the terror of it, and none so happy of them as those that have since last sessions been hurried by their great troubles to the prison of their graves, though scarce a winding sheet to cover them." The trustees' report will show the urgency of the case. They therefore pray that they " may be restored to that small estate which they have so dearly purchased by blood and money, or else have the consideration which they gave for it returned again, or rather than fall, petitioners, who are come to the same pass with poor wretches on the rack, glad to say or do anything to come off," pray for such small supply of money as Harley shall think fit.

Enclosing trustees' report in pursuance of an order of the House of Commons:—

1700, May 24.—Elizabeth Wandesford, of the parish of St. Margaret's, Westminster, and Elizabeth Mallory, her aged mother of the same place, make oath that they are reduced to a miserable condition, and since the loss of their grant have lived chiefly upon what money their wearing apparel has yielded. That they were not born or bred to labour, are deep in debt, and have impaired their health by their violent struggles against misfortune.

Signed, Eliz. Wandesford, Eliz. Mallory, *and* Jo. Edisbury. *Copy.* [*Cf. petition to Queen Anne, p. 349 below.*]

NAVY ESTIMATES.

1701, April 23.—A computation of the charge for one year to maintain at sea the number of men as set forth. 30,000 for eight, seven, or six months, and 10,000 for the remaining five,

six or seven months. The charge is 1,698,353*l.*; 1,618,353*l.*; or 1,538,353*l.*; in which are included the ordinary of the navy, the extraordinary repairs and 200,000*l.* for the debt to seamen.

[ALEXANDER CUTTING] to ROBERT HARLEY.

1701, April 24.—"Having the misfortune of coming under the displeasure of the House, and thereupon being ordered into custody of the Serjeant at Arms, and at the same time being called into the country upon very pressing occasions of my business, which was looked upon as my absconding though never intended by me; however, while I was in the country I received a letter which informed me that there would be a proclamation for apprehending me and others. Whereupon I immediately repaired to London, where I got March 28th, and surrendered myself the same day about twelve o'clock at noon into the custody of the Serjeant at Arms, which was before the warrant came to the press; for the proclamation did not come out till about nine o'clock that night. So that being now in custody and not knowing how to apply myself I . . . humbly crave that you would be pleased to move the House, that I surrendered myself before the proclamation was out," and that they will order my discharge.

Annexed is a certificate of the facts above mentioned to the House of Commons. *Signed* Robert Clay *and* John Mayott. *Dated* 1701, April 29.

P. CHAMBERLEN to ROBERT HARLEY.

1701, April 29.—Reminding him of the case of his cousin Edgworth, and hoping that the bill in his favour will be passed before the close of the session.

KENTISH PETITION.

1701, May 8.—Speaker's warrant to Samuel Powell, Serjeant at Arms, or his deputy or deputies, for the apprehension of Mr. David Polhill, as "guilty of promoting a scandalous, insolent and seditious petition, tending to destroy the constitution of parliament, and to subvert the established government of this realm." *Signed.*

JOHN WIMPREY.—Petition to the House of Commons.

[1701, May 9.]—Having served in the Hon. Major-General Earle's Regiment during the late war in Ireland and two campaigns in Flanders, and having received a captain's commission in Colonel Robert Mackay's Regiment upon the pay and establishment of the kingdom of Scotland, which regiment is since broken, he prays to be added to the list of half-pay officers.

R. LEWIS to ROBERT HARLEY.

1701, May 25.—Proposing several clauses to be added to the Bill for relieving distressed prisoners for debt, which may benefit

the creditors as well as the insolvent debtors; and drawing his attention to the Scotch Act for aliment of poor prisoners.

Enclosing two printed papers on the above subject.

Captain Key's Case.

1701, May.—[*See* H. of C. Journals, vol. XIII, p. 511. This case adds some details.]

Mallock's Estate.

[1701, May.]—Sarah Davy, widow and administratrix of Robert Davy; John Walrond, physician, executor of Dr. Edmund Davy; Jasper Radcliffe, esquire, and William Rouse, gentleman, on behalf of themselves and other creditors of Rawlin Mallock, esquire, and Roger Mallock, deceased.—Petition to the House of Commons. Setting forth their claims against Mallock's estate, and praying that a provision may be made for their satisfaction.

Edmund Stafford, Esquire.

[About 1701, May.]—Case offered to the consideration of the House of Commons concerning certain lands in the county of Meath, held in tail male by Henry Dowdell, with remainder to Edward Dowdell in tail male, and reversion to the Crown; which reversion the late King granted to Doctor Lawrence Taff for five-hundred years. Both Henry and Edward are outlawed and have no prospect of male issue. The present King grants the lands to Lord Albemarle, who sells them to Stafford, who by advice of counsel, purchased Taff's reversion. Presuming that it is not the intention of the House to resume any estate which was not forfeited, and apprehending that his lease is affected by the Bill now under consideration, he begs a "saving" as to the said lease; but submits his purchase from Lord Albemarle to the common fate of other Protestant purchasers, though pleading his services in the late war. *Draft*; *and fair copy.*

Richard Jones [Sheriff of Wiltshire] to Robert Harley.

1701, June 3. Wilts.—"As you commanded I have given immediate summons to Alexander Popham, John Eyre, and Carey Raleigh, esquires, which are the only members I know at present within this county."

John Hickes to Robert Harley, Speaker.

1701, June 28.—Alludes to his dismissal from his former employment and prays for assistance to become an officer in the salt business.

MAYOR, JURATS AND COMMONALTY OF HASTINGS.—Petition to the House of Commons.

[1701, February-June.]—Setting forth the benefits of the North Sea fishery to the nation, and the need of salt for curing the fish; representing in particular the case of William Bourn, Robert Palmer and Thomas Adams, masters of fishing boats at Hastings; and praying for relief for the said fishery in general, and for these three persons in particular.

[*See also the petition of Bourn, Palmer and Adams in H. of C. Journals, vol.* XIII., *p.* 775.]

JOHN PITT.—Petition to the House of Commons.

[1701, February-June.]—Since his recent petition concerning the illegal return of Benjamin Overton as one of the burgesses for St. Ives in Cornwall, which matter is still under consideration of the committee of privileges and elections, he is informed that one Ebenezer Overton presumes to sit in the House by virtue of the said return; and that there is no such person as Benjamin Overton, whereby petitioner cannot proceed upon his former petition till he has the further order of the House. Prays that the matter may be considered and justice done therein.

E[DMUND] DUMMER to ROBERT HARLEY.

1701, July 15.—"I am this morning going to the Nore to see my men pass a ship that there lies a pressing, for otherwise they will not stir; they are in such infinite dread of that accident that they protest they had rather turn pirates and be hanged than serve—such aversion is got into the hearts of men.

"I am ready prepared with a proposal if I can find any encouragement, that I believe would be found as acceptable as useful to England; it depends on a certainty of reducing all the naval power of the world to the arbitration of this nation, and there is not one instance of the practice that is not reducible to demonstration. I shall not return before Monday."

NATHANIEL MIDDLETON.

1701, July 16.—Certificate of magistrates for the county of Durham.—At the general quarter-sessions held at Durham, July 16, 1701. Having heard that Mr. Nathaniel Middleton, an officer in the excise at South Shields, has fallen under the displeasure of the Commissioners of Excise, they declare their belief that he has acted honestly and recommend that he may be restored. *Signed by* Charles Stonehewer, Clerk of the Peace; Thomas Wrangham, Mayor of Stockton; Anthony Hall, Mayor of Durham, *and six other Justices.*

Navy Estimates.

1701, August 8.—An estimate of the charge of building, fitting out and maintaining at sea for six months, eleven ships of the line of battle, as compared with the equal cost of 210 of 20 guns, which " if employed under a good discipline and after the method herein set forth shall infallibly interrupt and confound the whole trade of our enemies, and, if augmented in proportion, shall keep the jurisdiction of the seas, and render the naval power of this island terrible to all mankind."

E[dmund] Dummer to Robert Harley.

1701, August 11. London.—Commending to his notice a scheme " for a monthly intelligence between the port of London and the island plantations in the West Indies; " and giving details of the same.

Samuel Powell to Robert Harley.

[1701,] September 27.—I am very sorry I cannot wait on you myself, being indisposed; " but here enclosed comes a relation of matter of fact, and he that printed the *Jura Populi Anglicani* is an impudent fellow."

Enclosing holograph narrative—

" 1701, May 8.—The five Kentish gentlemen were committed, and had their liberty where they pleased till one made his escape.

May 10.—" Mr. W. Colepepper and his brother Thomas at the *Castle* tavern in Fleet Street, where they all were, asked the messenger for his warrants, to have copies, promising to return them presently: indeed all of them had their warrants for some hours. The messenger accordingly delivered them, but never had them again from the two Mr. Colepeppers; and Mr. Thomas made his escape that day from thence."

May 11.—" Being Sunday: hearing privately that Mr. Tho[mas] C[olepepper] was gone aside, and the messenger that had the care of him, his brother, and Mr. Champneys not advising me of the same, I went at noon-time to his house and beat the fellow, and there frightened him, pretending to draw my sword, but never did; and this was the only time I ever offered to draw my sword, when none of the prisoners were then present, or on the same floor."

May 12.—" Another messenger that had the keeping of Messrs. Hamilton and Polhill not merely told me, but I have it likewise under his hand, that they said *if they were attended by such fellows*, (viz., messengers) *they would provide liveries for them*; and that *they valued not the Serjeant: they had better men to clean their shoes;* and *if I did not come to them that evening and give such enlargements as they should require, fifty men should not keep them there that night.* Upon which I went to them, and in my way accidentally met my brother who . . . will be my witness that after some little talk with Mr. Hamilton comes Mr. Polhill with his hat on (my hat being off) smoking tobacco and puffing it towards my

face all the time of his speaking, and without any manner of compliment, open mouth, repeated about a dozen times words to this effect—That *he was a gentleman and would be used as such;* that *he demanded a copy of his commitment: the law required it and he expected it, and the law commanded it,* etc. I replied, *if he asked civilly and like a gentleman he should have twenty copies, or anything else;* but he still repeating those words of the law commanding me, etc., in his raving manner, and I not forgetting what the messenger so lately told me of their saying they had better men than myself to clean their shoes, etc., occasioned me to tell him *I valued not his law of a farthing* (knowing him to be a youngster in the law), and that *I was as good a gentleman as himself, in custody or out of custody.* So left them and immediately ordered the messenger to give them copies of their warrants; but it seems he did not do it till next day."

May 19.—" Mr. Buckley was committed and lay to the end of the session, being June 24. For the first ten or fourteen days he was treated with all civility. He said he had no money, nor could he raise any in London, but had written for a bill to Totness, when (*sic*) would satisfy everything as he ought to do. After some days passed, asking him about his bill and for money, he plainly said [he] would not pay one farthing, though he was quartered; upon which he was put into a garret, and he was as good as his word for he paid not one farthing.

" As to Mr. Hassam, I never heard from any hand of the least incivility offered him more than his confinement, during which to my knowledge he had about ten days liberty to go where he pleased; and deducting my charges to the Isle of Wight out of the money he paid, I don't think I got three pounds by him."

Also " the case of Samuel Powell, Serjeant at Arms," giving an abstract of the above narrative and adding particulars of his prosecution by David Polhill.

Charles Cornewall to Robert Harley.

1701, October 26. Berrington.—Returns thanks for the many and extraordinary favours shown to his family. Is apprehensive of a sudden outbreak of war, and being resolved to serve in it, he requests that the Lords of the Admiralty may be moved to appoint him to the command of the *Litchfield*, a fourth rate of 50 guns now at Plymouth; hoping that this early application will prevent her being otherwise disposed of.

Anne Dennis to the Houses of Parliament.

[1701,] November 10. Fisher Street, Red Lion Square.—Suggesting that the late King James should be decently interred at his brother's side, and that his children should be brought up as Protestants; followed by a long disquisition against the Roman Catholic religion, abounding in Scriptural quotations.

G. PIERREPONT to [ROBERT HARLEY.]

1701, November 13. Tonge Castle.—Begging Harley's interest for his election as one of the knights of the shire at the next election, and that he will be present at the general meeting to be held at Shrewsbury to name two fit persons for the choice of the freeholders, as has been the practice for many years. *Signed.*

CHARLES CORNEWALL to ROBERT HARLEY.

1701, November 15. Berrington.—"The account by the last post of the dissolution . . . I received not without surprise and concern, fearing lest the consequences thereof at this critical juncture might in any wise retard the glorious designed ends the late one seemed resolved to pursue. . . .

"I have already been importuned to stand for this county now, yet am resolved not to make any step therein without your advice."

SARAH OKEOVER.—Memorial to the Speaker.

[1701.]—Captain Humphrey Okeover served as Captain in the "Coldstream Regiment," as also in Col. Widdrington's Regiment in Flanders for twenty years, losing both his eyes. He was thereupon granted a pension of 2*s.* 6*d.* per diem, which was regularly paid out of Lord Ranelagh's office till his death, in May, 1696. The pension was then granted to his widow, Sarah, the daughter of Sir William Middleton, Bart., deceased. She has only received one year's pension, so that this present May four year's payment is due, and she prays Mr. Speaker to intercede with Lord Ranelagh for the arrears.

The case of EDWARD CHILLCOT, Gentleman.

[About 1700-1701.]—Was employed as gauger in the Excise from 1683 to 1694, and then as supervisor till December, 1698, when he was "reduced to a gauger again," on account, as he supposes, of the zeal and loyalty displayed by him on and after October 28th, 1697. For on that day, after the transaction of public business at Shaftesbury, Mr. Lanham, the collector, went with Chillcot and other officers of the Excise to wait upon Mr. John Lush, of Motcombe, at the *Red Lion* Inn. Lush then charged John Cookman, one of the officers, "with telling Mr. Peike, the master of the *Catherine Wheel* Inn, whither Chillcot had removed the excise office, that if he had not a care Mr. Lush would prevail with Mr. Lanham to remove it back to the *Red Lion* again. Cookman replied, 'I know, Mr. Lush, you have no kindness for me; and you lately promoted (*sic*) the drinking King James' health to me.' Mr. Lush answered, 'What would you have been the worse if you had? I have drunk it a hundred times and will drink it again.' 'The worse,' said Chillcot, 'why, if he had, and I had known it, I would turn him out of his Majesty's service.' Hereupon Mr. Lush broke out into undecent expressions

about the present government, and said the crown was not in the right line. That after the death of Queen Mary it ought to come to the Princess Anne." It was answered that the crown was settled on King William as heir male by Act of Parliament; to which Lush replied, "Damn the parliament for settling the crown on him. Let's send him away to whence he came. What shall we do with him here?"

Next day Chillcot and the two officers gave information against Lush before Mr. Bennett, a Justice, at Shaftesbury; but he did not bind Lush over to the assizes. Therefore Chillcot preferred an indictment against Lush at the next assizes at Dorchester, where a true bill was found against him for a high misdemeanour; although Lush and Lanham had endeavoured to bribe him not to bring the indictment.

In December, 1698, Chillcot was reduced to a gauger and sent to Ormskirk, with Lanham as his collector, to prevent his prosecution of the indictment. Since that date Chillcot has been ill-treated on several occasions, and prays the Commissioners of Excise to redress his grievances, and to refund him several disbursements in respect of the service.

Captain Unton Deering to the Lords of the Admiralty.

[1698-1701 ?]—Case and Memorial.—Setting forth his services in the Navy and the Marines. Was appointed Captain of the store-ship *Fortune*, which was lost on her passage from New York to England; and being tried by court martial for her loss was honourably acquitted. Being thus employed again in the navy he has lost his promotion in the army, and prays for the command of a man-of-war.

Edward Dorrell.—Proposal to the House of Commons.

[1701 ?]—To raise a revenue for the King "little inferior to the Post Office," by means of a lamp which he has invented, which is much brighter than those in use; his price being the same, viz., six shillings from each house. Of the money thus collected, one quarter will suffice for all the charges, and three quarters will be paid to the King. These lamps will be very useful in cities, corporations and market towns for the hindering and apprehending of robbers and other mischievous persons, as well as for the convenience of people walking the streets upon their lawful occasions. He is ready to answer all objections, and to supply the lamps whenever required by the House.

House of Commons.

1701-2, January 16.—Payment to the Speaker of 303*l.* 15*s.*, for votes between Friday, January 2 and Thursday, March 12, [1702], reckoned at 5*l.* 1*s.* 3*d.* per day.

JAMES VERNON to MR. SPEAKER [HARLEY].

[1702, January 30.]—" As soon as I received the favour of your letter last night, I despatched two messengers with warrants to secure my Lord Mordaunt and Mr. Morley, which they executed with success. Both the persons were brought to my office at noon and have engaged to prosecute this qarrel no further, which they shaked hands upon.

" They are obliged to you that you have taken a double care of them, and I hope they are both sensible of it. I suppose my Lord Peterborough's letter ought to remain in your hands; I hope he will not be offended that his son was secured by a messenger rather than by guards, as he proposes.

" You will pardon me that I made you no answer last night; to say the truth your letter found me in bed. I wish you had been allowed your rest at the same hour. I was sorry to hear what a fatigue you had that day, and heartily wish it may not affect your health."

HOUSE OF COMMONS.

[1702, January ?]—Reasons against the bill for making the rivers of Stower and Salwarpe navigable, as set forth in Mr. Baldwynn's petition, on behalf of himself and the Earl of Plymouth, his father and others. With answers to the same, stating that Lord Plymouth is willing the Bill should pass.

Case of the CLERKS UNDER THE FOUR TELLERS OF THE RECEIPT OF THE EXCHEQUER.

1701-2, January.—The first clerks in each of the four offices give 12,000*l.* security to their Tellers, and make a clear profit of not more than 150*l.* a year. " In case their part of the fees upon the 700,000*l.* for the pay of the 40,000 men now voted by parliament, shall be taken off . . . their case will be much more hard and deplorable."

———— to ROBERT HARLEY.

1701[-2], February 7.—Giving a copy of the Oath of Abjuration and some considerations upon it. " We think that what is here offered will be well taken by [the House of Commons] because it shows our good intentions, and will be of the nature of herb-john in pottage; if it do no good it will do no harm; or like the matter contained in a parenthesis, which never vitiates the sentence, whether it be put in or left out." *Seal with crest, a lion rampant regardant.*

SIR RICHARD GETHIN to ROBERT HARLEY.

1701-2, February 9.—Desiring him to give leave for a motion to be brought into the House of Commons to give encouragement to half-pay officers and subalterns who are willing to raise regiments,

companies or troops at their own expense, with a caution, " that as the design is purely to save the nation money, so an enquiry may be made into the half-pay officers' list; that none may be imposed upon the King and this honourable House but such as are really qualified . . . it being believed that there are many dead and provided for."

J. Gibson to Robert Harley.

1701-2, February 23. Welburne in Yorkshire.—" It is humbly offered to your consideration whether, upon the continuance of the Act, that the solemn affirmation and declaration of the people called Quakers shall be accepted instead of an oath in the usual form; it may not be convenient to alter the words—*to convene before them*—in paragraph 725, to such like words as are in the Act for the more easy recovery of small tithes, p. 285—*to summon them in writing by reasonable warning, etc.*; because of the great trouble and charge of convening all such Quakers complained of, and the stop of proceeding upon the complaint when they are not convened."

Suggesting also " that post-letters should be conveyed by the public post at the present rate and charge to all or most of the market towns in England; trade and business going heavily on in many places for want of that public convenience."

Also " whether it may not be well to add some words in the Land-tax Act, where the allowance of three halfpence in the pound is set for the commissioners' clerks for fair writing the duplicates, etc., to prevent their demanding and taking money besides of assessors and collectors, when the acts touching the duties on houses, marriages, births, burials, etc., as well as the Land-tax Act are put in execution; some commissioners (as his Majesty's inspectors or surveyors of the duties on houses, marriages, etc., can best give account of) allowing their clerks to take money for their warrants, besides their poundage money."

Colonel Codrington.

[1702, February.]—" Articles exhibited by Mr. Freeman in the House of Commons against Colonel Codrington; and some observations and remarks in answer to the same."

Relating to his alleged illegal practices as Governor of the Caribbean Islands. *Copy.*

George Tollet to Robert Harley.

[1702, February.]—Enclosing the Earl of Athlone's petition. " Mr. van Homrigh, Baron Donelan, Dr. Molineux, Captain Burgh and divers other worthy gentlemen, who could never be prevailed on to sign the address, are deeply concerned under the Earl. I hope you will be pleased to name some worthy member that they may apply to for delivering their papers to the House.

"Mr. Parry prays it may be remembered that the high duty on sweets be taken off . . . I would fain kiss Sir George Rook's hands."

GEORGE TOLLET to ROBERT HARLEY.

1701 [-2], March 4.—My friends at the Navy Board request me to ask what is meant by the clause—"for the more effectual payment of the seamen's wages and to prevent the discount upon their tickets"—introduced into the present land tax. If it means that tickets of men discharged from their ships are to be paid at once, it will open the way to innumerable irregularities and falsifications, which it will be impossible to check or prevent.

THE QUEEN'S ANSWER TO THE ADDRESS OF THE HOUSE OF COMMONS.

1701-2, March 9.—"I return you my hearty thanks for the kind assurances you give me in this address; they cannot be any way more agreeably confirmed to me then by your giving dispatch to all your preperations for the publick service and the support of our allys."

Endorsed by Harley. "Wrote all with her own hand."

———— to [ROBERT HARLEY ?]

1701-2, March 10. London.—"We find yourself and Sir C. Musgrave, our two worthy patriots and men of integrity, have mortgaged all the landed gentlemen of England till 1710, by continuing the grand mortgage till that time; though you both vehemently opposed that mortgage at first, and afterwards the continuation of it for a longer term. People will be apt to think you have either bought up malt tickets at a great discount, or you have a mind to make yourselves popular though you ruin all the landed gentlemen of England, who are already for the most part undone; for 'tis impossible they can subsist long to pay four shillings in the pound malt, that cursed duty of salt, births, windows and others. Enquire if the silver be not brought daily from the country hither and melted down and carried abroad; and when money fails in the country you will be at a full stop." Further criticisms, especially of the land tax.

"As to the common cant of ruining your credit, you will have no occasion of any, for do but raise 500,000*l.* or a million more than what the current service of the year requires, and that will supply the public upon any emergent occasion, and you can have no occasion to borrow. Pray consider, upon the foot you now are (*sic*), you certainly ruin those that have only land to depend on, to enrich Dutch, Jews, French and other foreigners, scoundrel stock-jobbers and tally-jobbers, who have been sucking our vitals for many years. Your friends hope you do not consult my Lord Sly, who was against the lowering interest; but, true patriots, I have said enough to you, that understand so well in what a condition we are. Pray God direct you."

THE QUEEN'S ANSWER TO THE THANKS OF THE HOUSE OF COMMONS.

[1701-2, March 11 ?]—"It is a great satisfaction to mee to find you are soe well pleased with what I have said.

"I shall be glad upon all occassions to let you see I desire nothing soe much as the ease and happyness of my people." *Autograph.*

WILLIAM HAY to ROBERT HARLEY.

1701-2, March 21. Westminster.—I have been three weeks in custody of a messenger by order of Mr. Secretary Vernon, on account of a letter I wrote to Sir Arthur Owen. When I pressed the Secretary to set me at liberty, he told me that I had been taken in custody at your desire. You have doubtless seen the letter, and I hope you will think three weeks' confinement punishment enough, and allow the Secretary to discharge me. If not, I am willing to undergo the censure of the House of Commons; and I shall here give some account of the usage I had from Sir Arthur. I went in July last to Pembrokeshire about business of great consequence. When I had been there seven weeks without doing the least injury to any person, I was seized in the inn where I lodged at Pembroke, and brought before Sir Arthur Owen, Sir John Phillips and two or three more justices of the peace, who inquired my name, my father's name, my country, all which I told them; also that I had been thirteen years a commissioned officer in King William's service, that I came to England with him in eighty-eight, that I had taken the oaths at Haverford-west, and that I would take them again in their presence. When they would learn my particular affairs in that country I desired them to excuse me, as the law could not oblige me to it, and that I could not without prejudice to myself. In the end they sent me to prison as a common vagabond, and Sir Arthur gave me very ill words to the bargain without any provocation from me; "the design of all this was to render me contemptible to a lady who already despised me," for they knew my business there very well.

"I was born of a gentleman's family; I have lived an honest man all my life; I have served in King William's army thirteen years, and have had five several commissions from him, to wit ensign, captain, major, lieut.-colonel and adjutant-general of all the forces in Scotland, and I have had my brothers killed in the English service. Now, when I am about my honest and lawful affairs, that I should be taken up, and without any cause thrown into a gaol no better than a dungeon as a common vagabond, seems hard measure, and would be thought barbarous in a country less civilized than England, and, I believe, is without example in this country.

"Now, Sir, what I humbly desire of you is that you would please speak to Mr. Secretary Vernon to set me at liberty, or that you would lay it before the House, and if they find me in the wrong I shall willingly undergo their censure."

DINGLEY ASKHAM, Undersheriff of the counties of Cambridge and Huntingdon, to ROBERT HARLEY.

1702, March 28. Cambridge.—" In the absence of Mr. High-sheriff I received yours of the 21st instant, and have made diligent enquiries in both our counties and find the several members thereof to be in their attendance in parliament, as I am credibly informed."

W. FOWNES to ROBERT HARLEY.

1702, April 1.—Reminding him of his promise to insert the clauses in favour of Major-General Stewart's and other regiments in some bill, since it appears by the votes of the previous day that no new business is to come into the House for that session after eleven o'clock this day. Sees no hope of encouragement for the linen manufactory in Ireland.

JOHN KEY to ROBERT HARLEY.

1702, April 11. London.—Has heard from New York of the insolent and oppressive conduct of Mr. Weaver, the collector, who was put into his posts by Lord Bellomont and Lord Somers, and has, with the assistance of the chief justice, Atwood, imprisoned Colonel Bayard and Mr. Hutchins for endeavouring to get signatures to a petition. Thereby they have put the whole province into a flame; and the writer has been advised to try to get that collector-ship for himself, and prays for the Speaker's favour.

Enclosing his Case " as it stands at present."

[1702, April.]—Was lately a captain in Lord Strathnaver's Regiment. Sets forth his services and the injustice done to him by his colonel on a question of accounts, for which he was " broke " by the sentence of a court martial, in 1696, and has since been almost six years without commission or pay.

PAUL COLLINS to ROBERT HARLEY.

1702, April 13.—It was my misfortune to be concerned in the ship *Francis and Thomas* taken up for transport service in the reducing of Ireland. Ready money was laid out by the owners in paying seamen and fitting out the ship; but although standing for so many years, the hire has not been paid. It is a burden greater than I can bear, and I humbly hope your Honour's justice and charity will have some regard to the payment of this just debt. " I live in the Strand near the end of St. Martin's Lane and keep an ironmonger's and brazier's shop. My father had the honour to be acquainted with your father, and dwelt near Ross, and always voted for him for knight of the shire."

SALT BILL.

1702, April 13.—" Observations upon the Salt-bill now before the House of Commons."

Fair copy, with draft notes in another hand.

W. Forester to Robert Harley.

1702, April 22.—"I shall in observance to your commands take care that no interruption be given to the passage of the members by those servants under the direction of the Green-cloth. But the power of the Hall on the coronation day being solely in my Lord Great Chamberlain, who demands the keys of the same, you may think it not improper to signify your pleasure to his Lordship."

Lord Limerick to [Robert Harley.]

1702, April 30.—Hopes that if his friends have been "undecently importunate" on his behalf, he may not suffer for it. He is mortified to find his bill unreported, while so many others have been relieved. The purchasers under the Earl of Athlone, in hopes to frighten him into accepting the 8,000*l.* offered to him, have insinuated that the settlement on which he insists is forged; but as he would rather starve than redress himself by so base a method, so he would sooner starve than waive his claim. He prays, for the relief of his honour rather than of his necessity, that his bill may be reported at the appointed time; and pleads his services as a reason why parliament should be compassionate and enable him to claim his family estates. *Signed.*

Thomas Hoskins to the House of Commons.

1702, [about April.]—Memorial concerning the Bill to discover estates given to Popish superstitious uses, for Greenwich Hospital, suggesting "an infallible way to discover" such estates.

The Queen's Answer to the Address of the House of Commons.

1702, May 5.—"I am extreamly pleased with the assurances of your resolution to assist and support mee in this warr. I make no doubt but your unanimity upon this occasion will have a very good effect for the encouragement of our allys." *Autograph.*

[Sir] J. Cotton to Robert Harley.

1702, May 5.—Having been present at the coronation, but forced to leave the service of the House immediately after, he desires that his medal may be delivered to Mr. Kenten, the bearer.

Petition from certain Debtors in the Fleet Prison to Robert Harley, Speaker.

[1702, May?]—Acknowledging his Honour's goodness to them in twice reading a bill for their relief. "They are very sensible that, if the unreasonable desires of their creditors and the most wicked contrivances of keepers of prisons can prevail with

the honourable Senate, petitioners can neither in this nor any other succeeding session of parliament expect relief, but inevitably perish by inhuman usage of their creditors." They pray him to look upon their sad state, and by promoting the third reading of the bill gain the prayers of thousands of poor distressed persons.

Signed by T. Gleane, Baronet; Will. James; Walter Stanhope; *and five others.*

1702, May 9.—A similar petition from debtors in Ludgate prison, signed by upwards of sixty persons, including "Hen. Ogle, cler'."

Paul Jodrell to Robert Harley.

1702, May 13.—"Enclosed is a list of the persons in the last bill of naturalization from the Lords, which I have examined as well as I can . . . If you cast your eye over the names you will see how the persons endeavour to impose upon everybody in respect of what ought to be paid by them to both Houses; what is set down being only what they would so pay."

Enclosing lists of persons naturalized and their fees. "In the first bill begun at the Lords" seventy names; twelve added by the Commons. "In the second Bill begun at the Lords" 132 names; eighteen added by the Commons. "In the third bill begun at the Commons" names of two persons who paid whole fees, and of twenty others added by the Commons who paid half-fees.

[Sir] Charles Hotham to Robert Harley.

1702, May 17. Beverley.—Being acquainted by Lord William Pawlett that coronation medals for members would be given to none but themselves, unless the member named a recipient, he desires that his medal may be given to Lord William.

E[dmund] Dummer to Robert Harley.

1702, May 31. Portsmouth.—"Sir George Rooke came to St. Helens Saturday afternoon, and is now at the head of a powerful, pompous and chargeable fleet; there is no line of battle fixed or I had sent you one. An accident fell out a little before he arrived that I am told troubles him.

"A small picaroon coasting from the Isle of Wight easterward, met with the fleet on the coast of Sussex, and stood in to the shore to weather of them under English colours. The fleet came on with a frank wind, but when their gross had passed him he stood off again among their small craft and cut off a brigantine and a vessel laden with bombs and other ordnance stores, and had like to have carried a bomb vessel also; all which was, as I am told, in sight of the fleet, which is very disagreeable because the spark is gone off with his purchase. This is one among a thousand accidents of this kind, which the last war produced in confirmation of my hypothesis."

" I must beg leave to remind your caution about the expression in the scheme I have already mentioned, for it will be fruitless for me to set a mark upon myself for speaking truths which cannot be borne, and that I perceive are to be carried on with an higher spirit than ever.

" I must tell you the discipline must be amended, and I fear in a little time it will be found the work of a parliament, and very difficult even for that to correct. If it be not, I assure you from my single knowledge of things, I dare pronounce the charge of so ill husbanded a fleet will be too heavy for this kingdom to bear. I cannot forbear repeating these apprehensions; there are very few people make any reflection on that they daily see and do, but the treasure is inexhaustible and therefore no need for the regard of expences."

ARTHUR BUSHE.—Petition to the Speaker.

[1702, May.]—Sir Anthony Mulledy's first wife was a daughter of Sir Thomas Worsopp, a Protestant, by whom he had four children; but by the endeavours of his Popish relations the marriage settlement was not executed. After her death he married a lady of his own religion, by whom he had several children. He was within the Articles of Galway, but died ten days before his case came to be heard by the government of Ireland; and his papers being lost his claim was not prosecuted. The second wife and her children having petitioned the House of Commons for relief, petitioner, who with two others has charge of the children of the first marriage, decided to await the issue of her petition. But this having failed, he prays for leave to make out the sad case of the Protestant children, or that it may be referred to the trustees (for forfeited estates), and that on their report some relief may be granted. *Signed.*

[SOLDIERS CONFINED FOR DEBT] to ROBERT HARLEY.

[1702, May.]—Served his late Majesty during the late war; and were protected by parliament from all their debts till May 1st, 1702. The time being now ended they pray that a clause in their favour may be added to the bill for the relief of poor debtors, both for themselves and for some hundreds of other poor soldiers in several gaols of the kingdom; in order that they may serve against the nation's enemies and die like men. *Seventeen signatures.*

CORONATION MEDALS.

1702, May 11-25.—Acknowledgment of the receipt of one gold medal from the hands of Robert Harley, Speaker, signed by more than 400 members of the House of Commons for themselves and for other members not present, accounting for 493 medals in all; also signed by the Clerk, Assistant-clerk and Chaplain of the House, the Clerk of the Crown, and the Serjeant at Arms. *One or two members do not sign until June or July.*

Also a fair copy of the same.

Also separate receipts from Philip Papillon and Robert Eden for Wm. Lampton, not included in the above; and from Robert Fagge and John Mounsher, who received their medals by proxy.

CAPTAIN ROBERT CORNEWALL to [ROBERT HARLEY.]

1702, June 17.—His affairs have not succeeded according to his expectation; he hopes the Prince will not forget him, for his inclination and desires are fixed upon employment.

E[DMUND] DUMMER to ROBERT HARLEY.

1702, July 6. London.—"I am extremely afraid the slowness I proceed with (the parliament being now dissolved) will injure my pretensions at Arundel.

"The Navy Board replies to my Lord High Admiral's order about the correspondence to the West Indies that the method of doing that matter well is by the great, but then it is inconsistent with their divisions of expense upon particular services; and presuming the service not directly naval are unwilling to intermeddle in it. If they were commanded to bargain with me for the charge only and directed to solicit money from the Treasury for that purpose, leaving the other conditions to be compromised by the Lord High Admiral, properly in his cognizance, I should think it the best way.

"If I am informed aright some harvest is to be reaped in the course of the correspondence by consent of the planters and by occasional commerce, which in a little time will take from the charge of the crown. I am sure I shall make it as little burdensome to it, or to any other private person, as possible; therefore shall endeavour the expense be as little as it can possibly.

"I know not what accidents I may meet with in this untrodden path;" however, I shall overcome them, if properly countenanced.

GEORGE CHURCHILL to ————

1702, July 21.—Encloses a copy of the correspondence with Captain Cornwall, "by which you will see that he has not such reason to rail as he pretends."

Enclosures:—

(1) CAPTAIN CHARLES CORNEWALL to [THE COUNCIL OF THE LORD HIGH ADMIRAL.]

1702, June 19.—Expressing surprise that he has been deprived of the command of the *Exeter*, and desiring that the Prince may be informed of an order by the late King for his continuance in that command. He sets forth the improvements effected by him in the ship, and prays for a few days to complete his accounts before giving over the ship to Captain Leake. *Copy.*

(2) Dr. George Clarke to Captain Cornwall.

1702, June 20. Admiralty Office.—Assuring him that the Prince has no intention of depriving him of the *Exeter*, although Captain Leake, who is to command the squadron in chief, may elect to go on board any ship he chooses. *Copy.*

(3) Captain Charles Cornewall to [George Clarke].

1702, June 22.—My apprehension is excusable, "Sir George Rooke having told me in these express words, viz.: *that Captain Leake was to come into the Exeter and that there was not any provision made for me;* and truly, that that is now intended me is what I must pray to be excused from; for since my ship is to command to Newfoundland without a flag, [I] cannot but think their sending a private captain to command both that and me in my own ship a modest way of terming me a blockhead, and consequently not fit to command on that service," though I have done my duty as well as anybody. *Copy.*

(4) J. Burchett to Captain Cornwall.

1702, June 24. Admiralty Office—The Prince has sent a commission to Portsmouth transferring him from the *Exeter* to the *Assistance*, in order to remove all ground of complaint. *Copy.*

(5) Captain Charles Cornewall to [J. Burchett].

1702, June 27.—Requesting that some other officer may be appointed to the *Assistance;* and expressing his intention to serve the government in a private capacity, since he is convinced that there is a design to force him out of the public service. *Copy.*

(6) Dr. George Clarke to Sir George Rooke.

1702, June 30.—The Prince, on hearing Captain Cornwall's letters, "has agreed, or rather ordered, that he shall be pleased and have liberty to quit the service; for which purpose a commission will be sent to Captain Arris." *Copy of an extract.*

[W. Carstares to Robert Harley.]

[1702, July, beginning of?]—To save your time "I presume thus to acquaint you with the account of the procedure of our parliament which came this day by a flying packet. A subsidy is granted for maintaining the forces for a year and a half, which, with what yet remains of the supply granted the last session, will keep them up till about June, 1704. Some, indeed, of the members were for giving subsidy but for one year; some were for two years; but at last they were all unanimous for a year and a half and the commissioner thought it was more for her Majesty's service to accept of a lesser sum given unanimously than to carry a greater with a division.

"There is also in the act for subsidy some provision made for defraying the expense of such as shall be appointed to treat about the Union; at least I understand that it is so, for I have not yet seen the act.

"The act about the Union is read the first time, and it is, in substance, the same with that of England. There are some that would have it so expressed as that of the Convention of the Estates of that kingdom upon the Revolution was, which contained a clause for the security of Presbytery; but I do not see how this upon either hand should be any obstruction in that matter; for though I do own that I am heartily concerned for the preservation of Presbytery in Scotland—and I am apt to think I shall hardly ever change my opinion as to this matter—yet I would not be for tenacious urging the above-mentioned clause to be inserted into the act that is now to be made; for I am of opinion that Presbytery, managed with temper, will be as safe, if not more, when Scotland is united with England, than when it continues a separate kingdom.

"There is also a letter come to the Queen from the parliament, which has in it some expressions as to those that have withdrawn themselves, which several members in private did desire might be smoothed, not thinking them as they were expressed proper for a letter; but the matter was carried by a vote.

"There is only one thing that I must acknowledge I am sorry for and it is this—in the committee of parliament appointed for taking the public accounts there are two in it who are managers of the customs, and who have yet accounts lying before the Treasury. This was not thought fit by some, and no doubt the withdrawers from parliament will improve it; and really I am so much convinced that Duke Hamilton and the bulk of his party have pernicious designs at bottom, that I cannot but lament that they should have the least handle given to them for giving a colour to their opposition. . . .

"I beg your opinion as to a little concern of my own, and it is about taking the late Oath of Abjuration. I am not a settled minister or preacher in any congregation in England, and any post I have is in Scotland; but I preach occasionally for my friends in several congregations of this city. Now, Sir, as I am not fond of taking any oaths officiously, so I would not willingly expose myself to the law when I have no scruple to do what it requires.

"If you think it fit I should wait upon you and give you any further satisfaction as to our affairs, I shall observe anything you shall be pleased to appoint; for I am not inclined to intrude myself upon business where my way is not plain, and, therefore, I trouble no person concerned in the management of affairs but yourself." [*The act for the Union was read on June* 25. *The Scottish Parliament adjourned on July* 4.]

E[DMUND] DUMMER to ROBERT HARLEY.

1702, July 21. Arundel.—"I have committed no mistake at this place. I wish there had been none at Shoreham and the

Doctor had been safe . . . My friend S. did not appear easy under the imposition; it was not with his will or judgment that the scheme in relation to the Doctor was laid. Nevertheless he omitted nothing when he came to the place to distinguish himself fully inclined to his party. But it was too late.

"My friend [John] Cooke and I are parted very good friends, but mighty uneasy under his disappointment, chargeable only on the ill conduct of his friends."

WILLIAM CARSTARES to [ROBERT HARLEY.]

1702, July 30. London.—"I am afraid you will think you have brought a load upon yourself by the honour you have done me in allowing me any share in your kindness, for I cannot be such an enemy to myself as not to improve it, so long as you will, Sir, be so good as to allow me to do so.

"I shall not trouble you with the stories we have of affairs here, but shall take the liberty to give you a short account of our Scots affairs. Our Lord Treasurer Depute came to town from Scotland upon Saturday last. I should have been heartily glad that he had had the honour of your acquaintance, for he is a person of integrity and interest. The Earl of Seafield and the Marquis of Annandale are also arrived here; they are all as yet in terms of friendship, and I hope shall continue so, but I find the business of the abjuration is like to be a seed of jealousy, which will not, I am afraid, be lessened by what hath lately occured in the Privy Council of Scotland, which is this.—The parliament in its last session having recognised her Majesty's title did order that the oath of allegiance should be taken, and the Assurance subcribed by all that were formerly obliged to do so by law as to his late Majesty. I doubt not but you know what is the nature of this Assurance, and that all that subscribe it are obliged to maintain her Majesty's just title against the pretended Prince of Wales and all his adherents. Now, the Privy Council being to emit a proclamation ordering all persons concerned to take these oaths to her Majesty, her Majesty's Advocate brought in the draft of a proclamation making the above-mentioned clause in the Assurance run thus —*to maintain her Majesty's title against the pretended Prince of Wales, who now takes to himself the title of King of this realm.* He gave this reason for the adding the last clause, that it was a necessary designation of the person intended by the parliament in the Assurance, and no addition to the law itself; and that without this additional clause the greatest Jacobites might subscribe the Assurance, and yet elude the law, because according to their opinion he was no more Prince of Wales but King James the Eighth. This was opposed by all those members of Council that were in the parliament against the abjuration, for they alleged that the additional clause not being in the Act of Parliament, it ought not to be inserted by the Council. Her Majesty's Advocate asserted that it might be safely done according to law. After much debate the matter came to a vote, and the adding of the clause carried by the

Chancellor's casting vote, and afterwards all the members of Council of both sides subscribed the Assurance with the additional clause. I shall be glad if this confused account of our affairs shall be any way acceptable to you. I only design it for your diversion in the country.

"The Duke of Queensberry hath been for several days very ill upon the road, so that he hath not been able to endure travelling. We do not yet know when he will be here; we should have a very great loss if he were taken from us in this juncture, but I hope by the next post we shall hear of his better health."

Furniture for the House of Commons.

1702, August 4.—Warrant from the Earl of Jersey to the Earl of Montague, Master of her Majesty's Great Wardrobe, and to his deputy there, signifying her Majesty's pleasure that he "provide and deliver to Peter Hume, Esquire, Yeoman of her Majesty's removing wardrobe, the following particulars for the serivce of the House of Commons (viz.):—

"One green velvet cushion with gold tassels for the Speaker's chair, and to be new covered with green velvet, with the seat and foot place with gold fringe; a green cloth carpet for the table, with silk fringe. One green cloth chair and stool with six cushions. The seats of the House to be new stuffed and covered with green cloth and silk fringe. All the seats in the galleries to be new stuffed and covered, with silk fringe. All the seats and tables in the clerk's office to be new covered, and a green cloth carpet in the closet. One dozen of cane chairs with green damask cushions in the Speaker's withdrawing room, and two dozen of Turkey work chairs for his chambers, or committee rooms. Two green serge curtains for the windows, with silk fringe. One dozen of pewter chamber pots and one large pot. Three dozen of pewter candlesticks, with nozzles. Two dozen of snuff pans with snuffers and extinguishers to each. One dozen of brass candlesticks; and two close stools with close stool pans. Six stands, two long brushes, two broom brushes and four hand brushes for the seats of the House." *Copy.*

Also copy of an order from Lord Godolphin for the execution of the above.

Also copies of warrants for similar articles in October, 1689, and 1690, from the Earl of Dorset, and the receipts of Serjeant John Topham and his messengers.

[W. Carstares to Robert Harley.]

1702, August 6. London.—"The desire I have that you should know anything of moment that passeth in our affairs, and to ease my mind as to what is perplexing to me in them, is all the excuse I shall make for the trouble of these lines.

"Our parliament is to be dissolved by proclamation, and it is in deed better it should be so than that it should expire of course as it must in a few weeks do, for it cannot be continued. But I

am informed that some of the ministry here, particularly the Earl of Nottingham, are for the immediate appointing a time for the meeting of a new parliament, and have desired that the Duke of Queensberry should send his opinion about it, if his health does not allow him to travel; though by a letter written by his order he seems plainly enough not to be for the calling a new parliament presently; but this was before he could have the letter that was sent to him from hence, and indeed, Sir, in my humble opinion, it does not seem expedient to call a new parliament at present.

"For, first, it will seem strange to many that after such pains have been taken to procure a subsidy to her Majesty which will maintain her forces till June, 1704, and this upon design that she might be in no necessity to call a parliament suddenly, till she saw how her affairs did go at home and abroad, yet a new parliament should be called.

"Secondly, the calling of this new parliament will be imputed to the prevailing influence of the Duke of Hamilton and his friends at court, which must give a great bias upon their side to the elections.

"Thirdly, it hath been usual in Scotland to dissolve a parliament and not to appoint the meeting of another, it may be for one or more years.

"Fourthly, though the counties choose their members in course at Michaelmas, whether a parliament be called or not, yet the cities and boroughs do not choose their representatives till a parliament be called; and though the counties do elect at Michaelmas next, yet if a parliament shall not be called before the Michaelmas next following they must then choose new members; and may it not then upon this ground be fit to delay the appointing of the meeting of parliament till her Majesty shall see how the elections of the counties go, and then she may better determine whether to call a parliament speedily or not.

"Fifthly, I am afraid the present appointing of a new parliament will much alarm the Presbyterians in Scotland and make them apprehensive that something is designed against them, especially when they hear that this sudden appointing of a new parliament doth flow from the English ministry entirely, our own having had no thoughts of such a thing when they left Scotland.

"I hope, Sir, you will pardon this bold freedom and impute it to the confidence I have in your favour, which is such as maketh me persuade myself that I shall be under no mistake with you for what I have done in thus writing to you."

GEORGE MARTIENS, Captain of the *Venetian Galley*.—Memorandum.

1702, August 10.—On the previous day, off Cape St. Vincent, the said ship sailing in company with her Majesty's ship *Kent*, Captain John Jennings, sighted a ship which they supposed to be an enemy and gave chase. The *Venetian Galley* sailed better than the *Kent* and had already come up with the strange ship,

when Jennings fired three shotted guns, one after the other, at the *Venetian Galley*, "designing to shoot our masts by the board, or damnify our ship or rigging." I took my letter of marque and went aboard to Captain Jennings to know the reason he fired at my ship; when, without any manner of provocation, he "gave me very ill language, striking me in the face with his prospect-glass and beat my hat and wig off my head; so my wig he beat overboard and was lost; likewise gave me several kicks and abused me very grossly, and after commanded me into irons aboard the *Kent*, where he kept me confined in irons about an hour, and sent his boat and lieutenant aboard of my ship to command my men to shorten sail and give over chase." In consequence the enemy got away.

Attested by seven of the crew. Copy.

Paul Jodrell to Robert Harley.

1702, August 20. "I attended the Lords' House to-day upon the prorogation. There was but two Lords besides my Lord Keeper. And there was not above four members; so, though I had a commission from my Lord Steward, I did not produce it, so none was sworn. The writ was read and nothing more done.

"My Lord Keeper is gone this afternoon for Warwickshire; and the Queen and Prince going next Tuesday for the Bath, we shall have an empty town. I am in a day or two for Leicestershire and Derbyshire. I wish you, Sir, all health and a good meeting to us in October.

"My affair I have heard nothing of, though it was mentioned to the Queen by my Lord Nottingham. It must rest now till the[y] return.

"The Earl of Kent is dead, as said."

E[dmund] Dummer to Robert Harley.

1702, August 20. London.—"I have this day concluded with the Lords for the West India business my own way, and, I fancy, with some mortification to Mr. Blathwaite, who has puzzled them and me very much. . . . If you think it proper to mention to my Lord Treasurer any remembrance of me, in case Sir Cloudesley Shovell quits, as is said, it will be seasonable."

"A letter from the postmaster of the Brill says Prince Eugene has routed the King of Spain; but we expect its confirmation."

The Same to the Same.

1702, August 21. London.—Giving an account of the examinations of himself and Mr. Blathwaite before the Council in connection with the postal service to the West Indies.

"On Tuesday last, attending there, Sir Stephen Evans coming to the Treasury with two jewels made up for the Dutch Ambassadors, and the Lords not met, I walked over the park with him to St. James'. His intent was to speak with Mr. Guy at his country house above Chelsea. He and I with him, for company,

took coach and went to him. After he had been with him he called me in to him, who received me very kindly on your account. . . . We fell to talk of public things, especially of Jack Munden's affair. His opinion and mine agreed in the point that it will be a wiping off some scales from the eyes of court martials.

"I had since the election the opportunity of dining with that gentleman on board his own ship at Portsmouth, and of hearing him state his own case and the method of his proceeding. I do not love to mortify any person to his face or busy myself behind one's back; but, upon my word, I did not find out that his judgment and his hearing were so alike thick and unready, till then; for I cannot but think a very small attempt to have penetrated that harbour would [have] begotten a very great unguarded consternation in the enemy at that juncture, which assists the bold and seldom or never fails them on well-resolved enterprises. Upon this head I reckoned a great many examples to Mr. Guy; and we concluded the Queen's censure to be just."

Describes a subsequent attendance before the Council and their approval of his scheme; and thanks Harley for his assistance.

Enclosing the minutes of the Council, 1702, August 20, relating to Mr. Dummer. *Signed*, "Nottingham."

Union with Scotland.

1702, August 25.—Letters under the Great Seal appointing the Scottish Commissioners for the Union.

Given at Windsor Castle. *Copy.*

William Paterson.

1702, September 7.—"Things proposed to be done in the ensuing Session of Parliament," chiefly financial; and "observations on the several heads of the foregoing scheme."

Endorsed by Harley, "Mr. Wm. Paterson."

——— to Robert Harley.

1702, September 9. St. Mary Port.—The many difficulties that appear makes me believe that the design on Cadiz is at an end, and that we shall shortly re-embark. There is a detachment going to-day to see if anything can be done at the Puntalls; but the men sickening pretty fast will not permit much to be done.

Sir H[enry] B[ellasis] is your humble servant. *Seal, with crest a stag's head.*

Sir Thomas Frankland to [Robert Harley.]

1702, September 15. General Post Office.—"I shall observe your commands relating to Mr. Franco, though it would not be amiss for him to write to us to desire longer leave. Mr. Tutchin never would let us know how to send to him directly . . . . If he is the author of the *Observator* (as is generally said) he has been freer with Lady Tyrconnel than can easily be forgiven.

"Letters came in this morning from the fleet, but being no fresher than what we had by the way of Lisbon they tell nothing new. I do not find any assistance is to be expected from the Spaniards themselves, perhaps not thinking themselves much concerned who is their master. Lord Cutts hath so signalized himself at Venlo by taking the fort *l'épée à la main*, that the letters from Holland are full of his praises.

"Old Sir John Cotton is dead."

[W. CARSTARES to ROBERT HARLEY.]

1702, September 15. London.—"The Duke of Queensberry is in health and at the Bath with the Queen; the Earl of Seafield is gone for Scotland to manage the elections for the parliament, and that he may be able to give his judgment of them, and so far as I can perceive the Duke and he delay to frame any particular schemes till by the choice of members they can judge of the temper of the parliament.

"They were a little vexed that any encouragement should have been given by the court to Duke Hamilton and his friends to wait upon her Majesty, without their being advised with as to the expediency of it, yet I hear that the Earl of Nottingham, who, as I am informed, was the only person that knew of this encouragement, hath given them some satisfaction as to the reasons of it. But I am told by some that Duke Hamilton and his party did look upon what was done by the court in this matter to have been only intended to draw them away from influencing elections; and, therefore, they seem to be resolved not to leave Scotland till these be over. . . . "

GEORGE TOLLET to ROBERT HARLEY.

1702, September 24. Navy Office.—Captain Thomas Wilshaw, one of the Commissioners of the Navy, died this morning. The salary is 500*l.* per annum, with a house or 80*l.* a year instead, and the taxes of salary allowed. I need not say more but that I am to my power, very truly your most faithful, humble servant.

E[DMUND] DUMMER to ROBERT HARLEY, at Brampton.

1702, September 24. London.—The matter of the employment of my vessels for the West Indies "has now taken air in the town to the satisfaction of all people as one of the best thoughts that have been hit on for a public good. . . . "

"Captain Wilshaw, the Comptroller of the Storekeeper's accounts, died last night. Providence has opened the way wherein, if (for what I suggested to you on the nature of that office but lately) I might succeed, I should be able to do much better service than ever I have done for the navy; and that is not a little if it were accounted to me in justice. I have made bold to move Mr. Guy to give a hint to my Lord Treasurer not to be too precipitate in the disposal of this office. There is none at that board who understands it; nor hath it ever

been understood rightly in my opinion. Nevertheless the Navy Board in a body this day recommended one of their members, Mr. Tymewell, for the same to the Council of the Lord High Admiral. Some time or other there will be a severe reflection upon that board for having too great a balance of clerk-commissioners in that body. They may understand accounts, but the prudential judgment with relation to the bulk of that business is a science they are great strangers to, a knowledge of mechanics and crafts of various natures. . . .

"If this occasion be not made use on to shew me some countenance for my abuses I shall never think anything else in the navy worth asking for." A word from you would have great weight.

Sir Thomas Frankland to [Robert Harley].

1702, September 29. General Post Office.—Enquiring after his health.

"When you read the enclosed, you will, I believe, easily guess the author. Sir Herbert Crofts could scarce have had more 'Sirs' in a speech than his 'Lordship' is repeated in this account.

"Mr. Tutchin is to be heard of at Allan's coffee-house, near Charing Cross."

W. Carstares to Robert Harley.

1702, October 6. London.—"Our great men from Scotland are arrived sooner than was expected; the Duke of Hamilton stayed behind till the election for the county where his chief interest is was over, and I hear there is a double return for that county.

"Mr. Fletcher is chosen for one of the representatives for East Lothian, but against the will of the Marquis of Tweeddale.

"I hear that several Commissioners for the Union are on the road from Scotland with the Earl of Seafield. D[uke] Hamilton is expected this evening. His friends that came before him are very confident, as I hear, of success in their designs, but what these are I know not. The miscarriage of the design upon Cadiz makes a great noise here, as doth also the arrival of the plate-fleet in Spain, and men talk of these matters as they are affected.

"I hope I shall ere long have the honour and satisfaction of seeing you here."

George Tollet to Robert Harley.

1702, October 8. Navy Office.—Mr. Parry will be mindful of Mr. Lewis. He has laboured to appease the clamour on malt officers. There was lately an order (since countermanded) to send twelve months' provisions to our fleet at Cadiz, and it was thought an officer would be sent with them, whereby a place might be opened for Mr. Jones. But that service being over Mr. Jones will do well to make the commissioners perceive, by diligent application in his present post, that he may deserve their recommendation. Mr. Sergison and Mr. Lyddell make due acknowledgments of your remembering them.

JA. JONES to [ROBERT HARLEY].

1702, November 9. Heusden, in Holland.—"Here is no discourse but of a war. If so, I desire your assistance in promoting me to a lieutenant-colonel's post."

GEORGE KENDALL.

1702, December 31.—Renewal of Commission to George Kendall, merchant, of Leith, to be clerk and keeper of the Royal Cocquett Seal at and within the town and port of Leith, which office he has held for several years by virtue of a commission from the late King. *Copy.*

WILLIAM DELAROSE'S Case.

[About 1702.—*See* Calendar of Treasury papers, 1702–1707, p. 49.] *Duplicate of the same.*

WILLIAM DELAROSE. Petition to the House of Commons.

[About 1700-1702.]—Praying them to address the King for his restoration to his employment, and for an allowance of threepence in the pound for all moneys collected by him.

Accompanied by copies of his case; of his petition to the King of 1696, January 20th, with an affidavit, and the order from Sir William Trumbull to the Lords of the Treasury to report on the matter; and of three certificates of good character *dated* 1696, December 21st; 1699, April 25th; and 1699, December 29th, *with twenty-one, five and eighteen signatures respectively.*

Also a duplicate. [*See* Calendar of Treasury papers, 1697–1701, pp. 57, 205; 1702–1707, pp. 28, 49, 70.]

FRANCIS DRAKE.

[1702?]—Certificates that he served on various ships between October, 1693, and August 1701, *signed respectively by* J. Jackson, Chris. Billop, S. Fairborne, Rd. Haddock, John Huntington and J. Price. *Copy.*

CAPTAIN WILLIAM GARVIN'S Memorial.

[1702?]—Raised a troop of dragoons at his own charge in Ireland in 1688, and went into Londonderry, and there was captain all the siege, and served so in Colonel Mitchelbourne's Regiment, captain of Grenadiers all the war in Ireland and afterwards till the breaking of the said regiment. Lost in fortune and estate by the Irish army to the value of 8,000*l.* sterling, and now desires to be provided for in the troops now raising.

ROBERT CROSFIELD to ROBERT HARLEY.

1702[-3], January 13.—Presenting the enclosed paper; having been, as he conceives "occasionally" the cause of the bill, in which, however, he will not further interest himself.

Enclosed—"Reasons against passing the bill entitled *A bill for the more free and impartial proceedings in parliament, etc.*"

[W. CARSTARES to ROBERT HARLEY.]

1703, March 30. Edinburgh.—"I take the liberty to send the enclosed, which is a copy of the address of the General Assembly to her Majesty, and of their grievances, which by their orders were to be laid before the Privy Council here. I could have wished that the assembly had been brought to a more calm issue, and I may say that I used my utmost endeavours that it might be so, and there was a general disposition in the members to bring their affairs to an end without giving any offence; but the Earl of Seafield, fearing that something might be brought in that was contrary to his Instructions, because he had heard some surmises of it, did surprise the assembly with a dissolution that was not expected without their having some notice of it; but I do not think that he had any bad design in it.

"We have this day a general indemnity proclaimed. I heartily wish that the great kindness that Jacobites meet with may be attended with suitable returns of gratitude and loyalty to her Majesty.

"I have endeavoured to procure an exact list of vacant churches, and of those that are filled with Presbyterian ministers, and of such as have been all along possessed by the Episcopal clergy; and it is as follows:—

Presbyterian ministers in churches.....	649
Episcopal ministers continued in churches under the protection of law	154
Vacant churches.....	124
Churches upon which Episcopal ministers have intruded themselves.....	10

"There are, as I hear, about 150 preachers that are Presbyterians, that will do more than supply the vacant chuches if parishes will call them.

"I presume to send the enclosed for your own particular use, and I have sent no copies to any else, though it is probable they may be made more public by others."

SIR CHARLES HEDGES to the LORD HIGH ADMIRAL'S COUNCIL.

1703, June 29. Whitehall.—It is the Queen's pleasure that the Marquis of Carmarthen's post and rank in the fleet shall be preserved to him, and that while out of employment he shall have the full pay of Vice-Admiral of the red; that the stop put on his Lordship's pension by the Prince shall be taken off,

and the arrears, to May 6th last, be paid to him. You are to lay this before his Royal Highness, so that he may give the necessary orders. *Copy.*

JOHN HUNTINTON. Certificate for Mr. Thomas Cornewall.

1703, September 28. West Indies.—"Thomas Cornewall, volunteer per order, served on board the *Dunkirk*, under my command, from October 11th, 1701, to September 28th, 1703, during which time he behaved himself soberly and obedient to command, also applying himself to the study of navigation; acted as midshipman the latter part of the voyage, and [I] think him qualified for preferment." *Signed.*

[W. CARSTARES to ROBERT HARLEY.]

1703, October 23. London.—Your last letter came to my hands when I was upon leaving Scotland; "and though I know that you are to be here in a few days, yet I cannot forbear to pay my most humble respects to you by these lines . . and to hope I shall have quickly after your arrival a favourable opportunity of discoursing fully about Scots affairs, and I do, Sir, the more impatiently long for this satisfaction, because I am sensible you might very much contribute to the preventing of any error that may come to be in the first concoction of our public business. Our Ministers of State that are come from Scotland are not in good terms amongst themselves, and therefore it cannot be expected but they will make different representations of affairs; and in my humble opinion it was never more the interest of the court than it is now to be cautious in adjusting measures as to Scotland; for I am apt to think that after what hath occurred there, many here and elsewhere will be apt to frame their sentiments of the inclinations of the court by what shall be the present management as to that kingdom; and I have, Sir, the vanity to think that when you come to have a clear notion of our business you will be of my mind. I have the honour to be in good terms with the Duke of Queensberry, and you shall know how it comes to be so" when I see you.

CALLS OF THE HOUSE OF COMMONS.

1693, December 25 to 1703, November 3.—Twelve letters from members of the Commons to Robert Harley, giving excuses for non-attendance at calls of the House.

Case of JAMES HANNAN, Merchant, of London.

[1703, October ?]—Bought a brigantine and in 1702 sent it to Limerick to bring tallow thence to London. But the vessel was captured by a privateer and taken to St. Malo, and condemned as a prize. The master and crew were exchanged, and on coming to England made affidavits which are annexed.

But William Bankes, part owner of the ship, refused to account for certain moneys paid at his request by memorialist, alleging him to have procured a French passport, and to have designed the ship and cargo for sale in France to his own use. The said Bankes has proceeded against him in several courts specified, and has obtained a warrant against him from Mr. Secretary Harley, which memorialist hopes may be stopped, though he is willing to surrender if necessary.

Enclosed are the affidavits referred to, one of August, 1703, signed by Robert Strong, master of the *James*, and Robert Geffery; the other of October 9th, 1703, by the same persons and Giles Blick.

ROBERT CROSFIELD.—Petition to the Queen.

[1703, December 17.]—In 1693, he published a book entitled *England's Glory Revived*, dedicated to the late King and both Houses of Parliament, and therein proposed an act of tonnage for laying sixpence a ton upon all coasters, etc.; which was passed into an act in that session. In the said book he proposed that all sailors on board merchantmen should pay somewhat out of their wages towards the support of sailors wounded or maimed in the public service, which was soon after passed into an act, the revenue of Greenwich Hospital chiefly depending thereon. Knowing her Majesty's resolution to encourage such as contribute to the public service, and especially those who are members of the Church of England, he prays that royal favour may be extended to him.

Enclosed in a letter to Harley, dated as above, acknowledging former favours, and praying him to present the petition and use his influence on his behalf.

Memorial of the QUEEN'S PRINTERS.

[About 1703.—*See* Calendar of Treasury Papers, 1702–1707, p. 139.]

A similar memorial giving further particulars.

Case of EUSTACHIUS PLACICUS, servant to the Prince of Walachia.

[1703 ?]—Dr. Woodroffe of Gloucester Hall, Oxford, having by his letter acquainted the patriarchs and others of the Greek Church with a considerable provision made for Greek students at that hall, the said Eustachius was recommended by the Prince of Walachia to Lord Paget on his return from his embassy at Constantinople. Lord Paget after a month's costly entertainment by the said Prince, brought over the youth and sent him to Gloucester Hall, where he continued about a year, till all his money was spent and his clothes worn out. Whereupon he came to London and applied to Lord Paget for assistance to return to his own country, not doubting but that the said Lord would be mindful of the honourable entertainment received

from the Prince. But, contrary to his hopes, his Lordship would not be persuaded to do more than allow him ten shillings a week till the sitting of Parliament, intending to speak to some of the bishops for him. And indeed he has paid for twelve weeks, and will pay no more, so that the said Eustachius is in debt; and therefore he is necessitated to make his case known, "and he doubts not but to find some who will be more concerned for the honour of their country in this case than his Lordship seems to be, either for that or his own."

CAPT. CHARLES CORNEWALL to ROBERT HARLEY.

1703 [-4], January 16. Berrington.—Reminding him of a promise to request the Lord Treasurer to use his influence with the Prince's Council for the writer's appointment to command one of the ships which are now being commissioned for the service of the current year.

SIR H. SHERE.

1703 [-4], January 26.—"Observations and reflections on the present state of the navy on the occasion of the debates now in parliament about manning the fleet."

HOUSE OF COMMONS.

1701-1704.—List of bills presented to the House of Commons between February 13th and June 6th, 1701, shewing in tabular form the dates when they were presented, read, reported and passed.

Similar lists for the sessions January to May, 1702; October 1702, to February, 1703; and November, 1703, to March, 1704.

[C. LEYONCRONA to SIR CHARLES HEDGES?]*

1704, April 1. London.—The ship *Hope*, of the burden of 36 lasts, John Hansen Voss, master, having a Swedish pass dated September 26th, 1703, sailed from Stockholm to Bordeaux with a cargo of pitch and tar; and returning thence bound for Stade, with a cargo of wine and brandy, was taken by an English privateer and brought into Dover. In the Admiralty Court, the ship was restored, but the goods condemned. He is informed the cause is to be tried next Monday (April 3) before the Lords of Appeal. The ship is Swedish built; the master, Voss, is a Swede, and a burgher of Stockholm; it has been deposed on oath that the sole owner of the ship and goods is Werner Groen, a subject of the King of Sweden and a burgher of Stockholm; and Stade, to which the ship was bound, is a town belonging to the King of Sweden.

Desires that ship and goods may be restored and satisfaction given for all costs, charges and damages.

* See letter on p. 147, below.

CAPT. CHARLES CORNEWALL to ROBERT HARLEY.

1704, April 21. Berrington.—Praying him to enquire whether the Admiral's Council intend to employ him again in the navy, since he has reason to hope that he may be appointed to one of the new ships, the *Elizabeth*, if the Prince consents.

SALE OF CAPTURED GOODS.

1704, April 21.—Account of the sale of cargo of salt in the *Welfare*, of Leifland, prize brought into Falmouth by Captain John Brome, of the *Southwell galley*.

[SIR] STAFFORD FAIRBORNE to [ROBERT HARLEY.]

1704, May 1. *Shrewsbury* at St. Helen's.—"I beg leave to offer my service to you, and to desire your commands, being got abroad again and about to put to sea. I was really much out of order at my coming from the Bath, and with great pain performed my journey; but, I thank God, I am better, and the more so for being in a way, I hope, to do her Majesty and my country serivce. Let me beg you not to be unmindful of me, as you may find occasion.

"Our ships here, for the number, are in so good a condition that unless all the French fleet were joined, we need not be under any apprehensions about any part of them."

HANNAH GOOBET, widow.—Petition to Robert Harley, Speaker.

[1701, February-1704, May.]—Her husband Captain Goobet was killed at the first siege of Namur, and at that time a considerable sum was due to her for his pay and arrears. Only 20*l.* has been paid to her for his loss, and she has for many years solicited the Lords of the Treasury, Lord Ranelagh and others, without avail; she prays that a speedy order may be made for moneys due to her late husband.

WILLIAM SHARPE, one of the present Clerks of the Cheque to her Majesty's Messengers.—Petition to Robert Harley, Speaker.

[1701, February-1704, May.]—Obtained his place on the recommendation of the Earl of Marlborough, and by his diligence has reduced the annual bill of the messengers from 10,000*l.* to not above 3,000*l.* His continuance in the post was promised to Lieutenant-General Churchill by the Lord Chamberlain, but he is likely to lose the benefit of the said promise by a recommendation of a pension from the Speaker; he prays that the latter's influence may be no longer used against him.

1704, May 11.—List of the squadron which sailed west from Portsmouth on May 10th, under the command of Sir Cloudesley Shovell. Twenty-nine ships are named.

WILLIAM COOPER.—Opinion on the case of William Plowman.

1704, May 8.—In September, 1689, J. Brome took out a letter of marque for the ship *Lusitania*, which was soon after cast away, and Brome returning to England had command first of the *America*, and then of the *Mary Rose*, in which he carried a cargo of merchants' goods to Leghorn; and thence, without taking out a new letter of marque, went a cruising and made several prizes, one of which he sold to a subject of the Great Duke's; from whom he and one Plowman afterwards re-bought her, armed her out of the neutral port of Leghorn under pretence of going in merchandize, and took several prizes without other commission than the letter of marque for the *Lusitania*.

Q.—If this proceeding is regular according to the laws of England, and whether or no Brome is not guilty of piracy?

Q.—If it is unwarrantable, are not Brome and those with him liable to prosecution for the prizes and goods they took?

Q.—Can a neutral permit one belligerent to fit out from his ports privateers to cruise against the other belligerent, without a breach of neutrality?

A.—The letter of marque, if confined to the *Lusitania*, could not extend to the *Philip and Mary*, which was not taken by the *Lusitania* or by a prize of the *Lusitania's*. Still, I think Brome, cruising on the King of England's enemies during the war, is not guilty of piracy. The extent of the commission can only be judged by the wording of it; but in any case, this can only concern questions as between Brome and the Admiralty, and does not affect the difference between the Crown of England and the Duke of Tuscany. It seems to me that the matter in question wholly turns on this:—Whether, by the law of nations, the Duke of Tuscany, as a neutral prince, could require any promise or caution from Plowman not to cruise on the French, and punish the breach of such promise in the manner he has done. As to which, it appears to me reasonable that a neutral should have power, without breach of his neutrality, to see that neither belligerent should hurt the other, by arming out of his ports, especially if he knows that such a thing is designed, and that preparations are making for it. And although I should not think there was a breach of neutrality if a belligerent, without being observed, armed in a neutral port and sailed thence to cruise on the enemy; yet in this case the Duke did foresee and take notice of Plowman's design, and could, I think, do no less than interpose and require that Plowman should give him satisfaction that Brome would not annoy his enemy by means of the neutral port. And if the Duke was justified in requiring such promise from Plowman, then was he also justified in punishing the breach of that promise; and if

he had not done so, the French would have had just cause of complaint against him. But if the Duke's prohibition to the belligerents to arm in his ports is at variance with the law of nations, it is void and of no effect; for the local law of a particular country must give place to the general law of nations. So that I think, on the whole, authorities should be carefully looked into to support this opinion:—That the Duke is justified in requiring such a promise from Plowman and punishing the breach thereof by the law of nations. *Copy.*

Also a further opinion in the same handwriting.

1704, May 22. Doctors Commons.—*Q.*—Whether by law of nations, the Great Duke, being a neutral, might hinder a belligerent arming from his port; and, if permitting it, might exact such a promise and punish the breach of that promise without giving just offence to that belligerent's prince?

A.—To the first part of the question I have already given my thoughts in the affirmative. The Great Duke, being obliged to keep the neutrality, being particularly reminded of it, in the present case, by the French minister, and being liable to make good to the French any damage they might suffer from Plowman's arming, had a right to have hindered it absolutely. A permission given which might have been refused was a valuable consideration, upon which the Great Duke might exact such a promise, which, when given, became obligatory. The promise must be interpreted according to the circumstances of the case. It was not that an Englishman, in war with France, shall not insult the enemy as he ought to do, or that Brome shall not execute his commission; but, "that a ship bought of a Leghornese shall not be armed out originally in that neutral port to insult the Great Duke's friends. . . . 'Tis one thing to exact a promise from an Englishman, arrived at Leghorn, not to pursue his cruise upon the open seas, and not to annoy the French, when his duty and commission so signally declare his designs; 'tis another thing to suffer a merchant ship, bought of a Leghornese, to be made originally in that neutral port a ship of offence, thence to set out to attack the French." If the Great Duke had a right to exact such a promise, he might also expect and demand the performance; "and since he did condescend to accept the bare word of a private foreigner, such word must bind; for if a promise by word of mouth only upon a valuable consideration shall not be obligatory upon a stranger, who may have no possibility of giving any other security, all faith abroad will be eluded, useless and ineffectual." If the foreigner contravenes his word, and the prince who has trusted to it suffers loss in consequence, it is reasonable that he should do himself right; that he should demand reparation, and as a security for it, should put a restraint on the person or goods of the contravener. Nor can I think a summary way of judgment, as in this case, to be null if the substantials of judgment, as calling and hearing of all parties, be observed; and where a sentence mentions full cognizance to have been had of the cause, the presumption is for the sentence, that all things were so had and done as are therein certified.

The seizure and imprisonment of W. P[lowman] is somewhat extraordinary, if it be so as he gives out.

If by giving authority 'tis meant that of decisions in such like cases, I must own I am at a loss for them; if the authority of writers is intended, I have advanced these thoughts upon what I have met with in Grotius *De promissis*, lib. II, c. xi., and Gentilis *De jure belli*, lib. I, c. xxi.

JOHN PETERS, Gentleman.—Petition to the House of Commons.

1704, May 24.—Setting forth his services as Clerk to the Tellers of the Exchequer from 1679-1697; his losses consequent on the re-coining of money in 1695 and 1696; his applications to the Lords Commissioners of the Treasury, their insufficient grant, and his petition to the same Lords that they would lay his case before the King; their reference of his papers to Mr. Twitty, First clerk of the Auditors of the Receipt, and his report thereon, and the postponement of the matter by the King. A proposal from petitioner, in August 1701, to be recompensed out of certain concealed estates, which he had discovered, was referred to the Surveyor General, and by him referred to the Attorney General, who gave as his opinion that the grant of King Charles II to Sir George Carteret, of the manors of Epworth, Wyverton and Langton juxta Horncastle in Lincolnshire, and of Stapleford Abbots and Stapleford Regis in Essex, on the 7th of February, 1649, was void. He therefore proceeded against Lady Carteret at his own charges in the Michaelmas term, 1703, to make her set forth her title to the said manors. Since which he finds that a bill is to be read for the second time in the Commons for selling the said estates discovered by him, and for confirming the aforesaid void grant. He therefore prays that he may have the benefit of his discovery and suitable recompense out of the same.

[*Added in another hand.*] In regard the Queen has consented to the bringing of the bill in Lady Carteret's favour into the Commons, to the passing of which bill Peters made no opposition.

Particulars desired for recompense:—Moor Hall and certain lands in Upwell, co. Norfolk; out of lease: the manors of Nether Hall and Over Hall, co. Essex, and Crisping Hall, co. Suffolk, after the death of Robert Wingfield, esquire, without heirs male, the reversion in the Crown: encroachments on Royal waste land at Cookham and Bray, co. Berks; and the whole estate of Thomas White, *alias* Whitebread, convicted of high treason in Charles II's reign. "These particulars have been referred by the Treasury to the Surveyor General and by him reported."

COUNT CHARLES POLLIN.

1704, May 25.—Memorandum of an agreement between Count Charles Pollin and Lady Irwin for his being Colonel of Horse in the room of Lord Windsor, his present Colonel, with liberty to dispose of his Lieutenant-Colonel's place to the person proper, in consideration of 2600 guineas, the Count depositing fifty

guineas with Mr. William King, to be paid to Lady Irwin, provided the bargain be completed in fifteen days; and if it be not completed, she is to receive five guineas of that sum in consideration of her diligence. *Copy.*

CHARLES COXE and WILLIAM BANESTRE.

1704, May 29.—Certificate that at the last great sessions for Glamorganshire, Mary Thomas was condemned for murdering her bastard child; but having since been informed that she is of good and honest parentage, very young and of weak understanding, and was delivered when no person was present to prove if the child was born dead, they consider that she is a fit object of the Royal mercy, and ought to be transported.
Endorsed by Harley.—"Received July 14th, 1704."

DR. GEORGE CLARKE to [the NAVY BOARD.]

1704, May 30. Admiralty Office.—By order of the Queen he sends a copy of the paper which her Majesty gave him to read to them when they waited on her at St. James' this evening.

From the accounts laid before her in connection with Commissioner St. Lo's complaint, her Majesty observes that there has been much unjustifiable expenditure and want of good husbandry in the yards. She highly commends the zeal shewn by the Commissioner in discovering these abuses, and has no doubt he will display the same zeal in detecting others. In this, she expects that he will use all becoming temper and moderation. Any failure of duty which he finds, he is to report immediately to the Navy Board, who are the proper judges of matters of this nature; and she expects that the members of that Board, as they value her displeasure, will lay aside all animosity and misunderstandings and go on cheerfully in the performance of their duty.

THE SPEAKER OF THE IRISH PARLIAMENT.

1704, May 30. Dublin.—Observations upon the behaviour of the Speaker in the Irish Parliament:—

He obtained the chair by protestations of loyalty. He delayed supply by urging the poverty of the nation and its oppressions by the English Parliament. He "pressed the vote that the nation was misrepresented to be indebted 103,000*l.*," which statement he knew to be untrue, as the accounts were perfectly right, and nothing ever objected against them.

He works on the disposition of discontented people. He prevented a proper supply being voted for the deficiencies of the revenue, argued against several necessary grants, and diverted the quit rents from their proper use.

He "laboured against the funds proposed of beer, ale and tobacco," tried to lessen the revenue from the hearth money

tax, and in all committees worked against the Queen's interest, giving rude language to those "that did not run in with him." He endeavoured to create aversion to the English Parliament, and insinuated that the Queen and Privy Council had no right to meddle with money bills.

In the debate on the bill against Popery, he declared that the clause for the sacramental test was poison, and that whatever came from England had poison in it.

All his relations and intimate friends have followed his example in stirring up the House against the English Parliament, Clayton maintaining that he owed obedience to the crown, but none to the people, of England.

On the whole his designs had no great success, and owed the little they had to his professions of loyalty and of regret that his love to his country forced him to go against the Queen.

Endorsed by Harley.—"Copy: Received from Lieutenant-General Steuart." [*This name in Greek characters.*]

E[DMUND] DUMMER to ROBERT HARLEY.

1704, June 7. Coleman Street.—Requesting him to remind the Lord Treasurer to audit his accounts, which he delivered up to the examiners of accounts more than eight months previously. The delay has induced him to credit the government with above 2650*l.* more than he has received from it.

Another letter of June 12th is even more urgent, and *encloses* a copy of a letter of June 6th to the Postmaster General, setting out the details of the sum due, and praying for speedy relief, as bills drawn against him are being daily presented, which he cannot pay.

DR. GEORGE CLARKE to ROBERT HARLEY.

1704, June 8. Admiralty Office.—Is acquainted by the Prince that there is no ship free to take the Marquiss of Tweedale's equipage to Scotland; but it can be convoyed to Newcastle by the ships that guard the colliers, whither a Scottish frigate may be sent to take it on to Edinburgh.

"His Royal Highness has no objection to the ships that are laden with arms in Holland for the King of Portugal going with the convoy for the recruits from Ireland . . . . but the time of their arrival is uncertain, being to return from the squadron that went out with Sir Cloudesley Shovell."

Memorial concerning CAPTAIN FRASER'S PLOT.

1704, June 8. (*Received.*)—If the Parliament of Scotland make any enquiry into the plot they will require all the papers, affidavits, informations, narratives, and all the intercepted commissions and memorials, and the four cyphered and gibberish letters, with their keys, and all Fraser's private letters seized in London, also the presence of the following persons will be necessary at Edinburgh:—

Mr. William Keith of Ludquharn, younger.
Colin Campbell of Glenderowell.
Sir John McLean and his Lady.
William Stewart, servant to the Duke of Queensberry.
Captain John Mair.
Mr. Robert Ferguson.
Endorsed by Harley "Lord Cromertie."

B. JENKS to ROBERT HARLEY.

1704, June 10. Harley.—On behalf of his brother, who is capable of employment as a messenger. "I continue my hopes that he is not quite forgotten, and that the opportunity of this change, which her Majesty has been pleased to make with you,* will not slip over without some door opened for his admittance into that service."

MILES MAGRATH.—Memorial to [ROBERT HARLEY ?]

1704, June 10.—Was formerly recommended by her Majesty to the late King James, whose fortunes he followed into France, and served there many years as Captain of foot; returned to England in 1702, where he still continues and begs for a Royal licence to live here, giving security for his good behaviour.

SIR ALEXANDER RIGBY, WILLIAM SHEPHARD and WILLIAM PLOWMAN to ROBERT HARLEY.

1704, June 13. London.—The goods of Rigby and Shephard have been confounded with Plowman's, whereas they ought to be considered distinct. They were not offered to the Great Duke voluntarily, but by a species of necessity as a bail for Plowman, who was nevertheless not liberated. They have suffered much loss and injustice; and the report of Mr. Pollixfen shows that he does not understand the case and is surprisingly ignorant of the law of nations. *Signed by Rigby and Plowman.*

SIR H[ENRY] GOUGH to [ROBERT HARLEY.]

1704, June 17. Pury Hall.—"One Lesly, an officer in the Lord Dunnagall's Regiment, going towards Ireland with recruits, in Merriden, a village near Coleshill, in Warwickshire, took up a young man who was a tenant's son to Sir Clement Fisher, pretending he was a deserter. After they had forced him away near a mile, some of his neighbours, together with the constable of Merriden and his son, overtook the soldiers, with whom they had hot disputes and some blows. The constable told the officer that the man was not a deserter but a tenant of Sir C. Fisher's, and therefore desired his discharge, which was then refused with an oath from the officer, that, let him be who he would, he should

* *i.e.* his appointment as Secretary of State.

go. The constable was struck down and his son run into the belly and several others much wounded.

"Whilst these were carrying off, and other countrymen were coming in to their assistance (upon this cessation), Sir C. Fisher had notice, and coming to the officer (who at first laid his hand upon his sword), advised him to take care of what he did; that he would raise the country and pursue him from place to place till he was secured, if he would not desist and render himself. Upon this the officer submitted and was taken by the constable before a justice of the peace, who committed him to Warwick gaol. At their sessions last Tuesday he was brought into court and offered to be bailed if he could procure security to appear at the next assizes, which he could not do; and upon the surgeon's making oath that the countrymen's wounds were dangerous and that they might yet die of them, the justices have continued him in prison at Warwick.

"This part of the country has yearly supplied the army with very great numbers of men whose friends are dissatisfied at the death of some, and abuses that many others of them have met with abroad in former times." This fresh disturbance, together with the very irregular practices of some justices in this neighbourhood upon the late Act, will no doubt make it much more uneasy to those officers who shall come hither hereafter to raise men; and may prove of worse consequence if some public example be not made of this officer. *Signed.*

[*Postscript.*]—Since writing this I am informed that Mr. Bracebridge (justice of the peace) after the sessions were over discharged the officer, which, it is hoped, will not prevent a further enquiry for the satisfaction of the country, though it should please God that all the wounded people recover.

Sir George Rooke to Robert Harley.

1704, June 19. *Royal Catherine*, off Lagos.—Congratulates him on having the seals.

George Townesend to Robert Harley.

1704, June 19. Lincoln's Inn.—Enclosed is a copy of Mr. [Thomas] Probyn's discharge. By the orders of the office "no gauger is to take more than forty shillings for the instruction of any young man in the art of gauging" for employment in the Excise. Nevertheless Mr. Probyn "took 12*l.* to instruct a maltster's son in his own division. This extraordinary price gives us just cause to suspect that the maltster gave this sum for other favours . . . and there is so much bribery and corruption between the maltsters and our officers" that the Board cannot pass by so remarkable an instance.

Enclosed is the copy of the discharge referred to, dated March 10, 1703[-4]. Excise Office, London.

SIR THOMAS FRANKLAND to [ROBERT HARLEY.]

1704, June 21.—" According to your commands I have enquired about the letter to Mr. Woolsley, but am informed he lives out of town. I have spoke with a person who read the letter. It is dated the 15th and says Portalegre was not taken. I believe the letter is from some officer, the person to whom it is directed being Newdigate Woolsley, late agent to my Lord Rivers."

WILLIAM GOWER to ROBERT HARLEY.

1704, June 22.—I enclose a draft of a petition as you ordered, " fearing you might have occasion to speak in that troublesome affair to Lord Treasurer this day. . . . I hope I shall not be trampled upon by Mr. Jones, who never deserved favour from the government. If he is commanded to bring the inventory into the Treasury of the goods and furniture which he received from Captain Haughton, to be compared with the inventory he hath left in the Treasury of the nasty stuff he delivered to me, then the embezzlements will appear that were made in that gentleman's time."

Enclosing draft referred to of a petition to the Queen, that, inasmuch as the buildings of Ludlow Castle have suffered greatly from neglect, so that their repair would cost many thousands of pounds, and that it is a remote place of no service to the Queen or Royal family, she would grant a lease of the Castle, with all the buildings, courts, gardens and bowling-green, with the ditches and other grounds outside the walls for a term of years; and that the Castle may be pulled down and the ground built into a handsome square, to the great advantage of the loyal subjects of the ancient Corporation, employing thereon not only the artificers and workmen, but most of the numerous poor of the said Corporation, who have been greatly reduced since the abolition of the Court of the Marches of Wales.

INTELLIGENCE FROM CALAIS.

1704, June 24.—Mr. Masters came from Calais on the 20th. Twelve privateers belong to that place, eight of which were come in, carrying from thirty to forty men each. " Guns fired round Calais three times on Sunday night; supposed to be for the birth of the Duke of Bourgogne's son, Duke of Britanny; others said it was for taking of Susa.

" All the privateers within the districts of Calais and Dunkirk called home. The seamen who had been prisoners met several French seamen near Gravelines going to Dunkirk. The merchant seamen hide, because they are taken out of turns and not in their classis. The report was to destroy the Dutch fishery; but others said for the East country trade, and to countenance the P[rince] Conti in Poland.

" No land forces can be heard of; not above 100 forces in Calais, and they militia or superannuated. . . .

" At first there was a report that they had burnt twenty-two of Sir G. Rooke's squadron, and the report was three or four days after that Sir G. Rooke had landed 5000 men at Barcelona, and forced to take them on board again. The prisoners at Calais are well used, but very ill used at Dunkirk.

" Mr. St. Paul was to have eight men of war at Dunkirk, the *Salisbury*, taken from us, a ship of 50 taken from the Dutch, the *Ludlow* of 36, and five more. . . . They report that there is but three privateers left at Dunkirk ; all the rest destroyed. *Revenge*, a privateer of 28 guns run ashore between Newport [Nieuport] and Dunkirk ; the men mutinied because they had overstayed their time. This ship took the packet *Captain Simpson*. Mr. St. Paul was to have four from Havre de Grace . . . to make his squadron twelve."

Sir J. Cooke to Robert Harley.

1704, June 26. Doctors' Commons.—As the proofs, if any were made in the court below, have not been sent to me, I am not able fully to examine the allegations of Knees' petition. But by such evidence as is before me, the affidavits of the petitioner, the pilot and several of the mariners, it appears that Knees was ill of an ague at the time the disaster happened ; that the ship was under the care of a Trinity House pilot, and that she received considerable damage by the collision. I conceive it therefore desirable that further proceedings against the petitioner should be stopped, and he and his ship be permitted to proceed on their voyage.

Lewis Gordon of Oakenhead or Elgin College in Morayshire.

1704, June 30. (*Received.*)—Narrative setting forth his kindred, education, and adventures since 1682, and giving a long account of his debts, his endeavours to obtain relief in Ireland, his arrest at Newcastle and imprisonment in London. 11 *pages*.

Navy Lists.

1704, July 1.—" A list of ships that have been taken as prize since this war, which have been claimed by Danish subjects." Sixty-seven in all.

Also—" A list of such ships as have been taken as prize since this war, which have been claimed by Swedish subjects." Sixty-nine in all.

N[athaniel] Boothe to Robert Harley.

1704, July 1.—Concerning part of a revenue which is not charged to the Lord Treasurer, arising from the balance from covenants and entries at the Alienation Office, over the yearly charges on that office. Prays for an additional salary out of this balance for his services in connection with the levying of the

estreats of the greenwax for London and Middlesex. Also alleges that "the sheriffs of Middlesex of late years have made a great advantage of recognizances in his county, because he never takes any bond, or obliges the party to compound or discharge them, but he and his bailiffs have so much a year to connive at them." Gives an example and suggests a remedy.

Mary Edwards to Robert Harley.

[1704, July 5 ?]—I have examined my cousin Counter, who declares he can say no more than what he has written already. "When he was so unfortunately taken up, he was carried before Captain Potter, De la Rue and Pendergrass and the rest of the witnesses," who all declared that they did not know him. "He was bred a soldier under King Charles II and King James, but never entrusted with any private concern, and is a man of more honour and true valour than to be concerned in such an horrid conspiracy. Ill-principled men, when their hands are in, will swear to anything. That's no new thing. . . . Consider, nine years to be kept close prisoner is a very great while, and were you but made sensible of his hardships . . . I think t'would have been more favour to have hanged him out of the way than to lie lingering and at last to be starved to death. . . .

"As for Mr. Blackburne his case is plainly deplorable . . . He tells me he had no hand in the conspiracy, and did not know one body that died for it." I pray you stand their advocate to the Queen, as they offer security to live peaceable and quiet in the government."

Another letter to the same effect.

J. Counter to [Robert Harley.]

1704, July 5.—Describes his miserable condition, and protests his innocence and his readiness to serve the Queen if released. He is maintained only by the charity of his cousin Edwards, having long ago spent his little subsistence.

Robert Blackburne to Robert Harley.

1704, July 5.—It surprised me very much to hear that you desire to know what I can inform you of against the Queen and government, seeing that I have been "out of the world for above eight years, whereof two years I was kept so close and in irons that I was not suffered to hear from, see or speak to any friend." Unless you will be pleased "to join in charity with my good friend Mrs. Edwards I must certainly perish. I am a country gentleman and had a small fortune which I have consumed in this noxious prison; . . . had I been bred a soldier I would have served her Majesty sooner than any prince in Europe, but . . . I am fitter for a hospital than a camp." I hope you will be pleased to admit me to bail.

Dr. William Davis.

1704, July 5.—Certificate attesting his "great probity, learning and honour," and that he has been fellow of St. John's College, Oxford. *Signed*, William Gibbons, M.D.

Endorsed by Warre.—"one of those who came from the Canaries, and was brought up from Rye."

W. Carstares to [Robert Harley.]

1704, July 8. Edinburgh.—"I am in a post that hath obliged me to much retirement from all affairs except what have a regard to the concerns of it. But yet I have still the unhappiness to be under the displeasure of some of our great men, for my Lord Commissioner [Tweedale] hath been pleased to declare to some that he will not so much as allow me to pay my duty to him either as one of her Majesty's chaplains or as head of this College, which hath kept me from exposing myself to an affront in desiring a thing which his Grace had testified he was resolved not to grant; but it is my comfort that her Majesty hath been so good as not to give any marks of her displeasure against me, and that I have the honour of the kindness of at least some of all qualities, who are surprised at this treatment, which is not ordinary here or anywhere else; but I have overcome many things by patience, and therefore I intend to exercise it still. Nor shall any bad usage make me change my principles as to the succession, whoever be the managers of public affairs, and as I am heartily concerned for the quiet of her Majesty's government, so my endeavours for it in my station shall not be wanting.

"There was one favour that I presumed to beg of her Majesty when I had first the honour to kiss her hand, which was her protection from malice and calumnies. She hath been hitherto pleased in her goodness to grant it, and I hope, Sir, that through your kindness it shall be continued, for your advancement to the post in which now you have the honour to serve her Majesty is my great satisfaction, and I heartily congratulate it, and do pray that you may be under Divine conduct and an instrument of much good, not only to your own nation but this poor divided kingdom also.

"How affairs will go in parliament, is, as I hear, very uncertain, nor do I think that almost any man can give a positive judgment, but I heartily wish they may end to her Majesty's satisfaction."

Robert Poulson and Cæsar Deaven.

1704, July 18.—Affidavit sworn before R. Warre.—On their way to New York they were taken by two French ships homeward bound from Martinique and carried into Rochelle. From there they got to Bordeaux, and on board a pink lading for London. After a tedious passage, and being frequently chased by French privateers, they put, for safety, into Kinsale, where the ship was seized by Captain Wakelyn of the *Ipswich*, who sent for them

on board his ship, and used them more like prisoners than subjects. They pray for consideration for their miserable condition, being in great want of clothes and other necessaries. *Copy.*

Endorsed by Warre :—" Sent the original to Mr. Glasier, the Prince's Proctor, July 27, 1704."

The Earl of Seafield to [Robert Harley.]

1704, July 20. Edinburgh.—I have received yours with the information from Bergen, which I have communicated to my Lord Commissioner and some others of her Majesty's servants. We have ordered the persons named to be examined. I believe that it was Captain John Murray that escaped, for he was in the North some time before. I shall be ready to continue this correspondence, and shall acquaint you of what occurs here that is for her Majesty's service.

William Gower.—Petition to Lord Treasurer Godolphin.

1704, July 22. [*Received.*]—Being removed from the custody of Ludlow Castle, he petitioned his lordship on the 10th instant for convenient time to remove his family and effects, and for repayment of above 60*l.* expended in the support of the Castle, and for a salary for his great care of the buildings since August 26 last, when he took them over from Mr. Jones. The former part of the petition was granted, but no money was ordered to be paid him. He prays therefore, to prevent disputes with Mr. Jones, that he may have time till February 3 next for removing, and the said sum of money and a competent salary.

Also copy of warrant to Gower's successor in the custody of the Castle, allowing him a salary of 20*l.* a year and a further 10*l.* a year for fuel to air the goods and rooms, to be paid out of the revenue of North and South Wales.

[Thomas Bateman ?] to Robert Harley.

1704, July 25.—" About 150 sail of coal ships are in the River, but the price is not abated as might have been expected, because on their arrival a report was spread at Billingsgate that some of the convoys that were appointed for the colliers are now ordered to other service. If they are to return speedily to the colliers and to continue in that service, an advertisement of it in the *Gazette* or otherwise might be of use."

H. Pughe to Robert Harley.

1704, July 26. Hereford Gaol.—" Petitioner is a most proper object etc., and tendered 1000*l.* bail to answer whatever can be objected against him." Prays for Harley's assistance, promising to return any expenses on demand. His answer should be directed to Mr. James Prichard, at the above gaol.

Repetition of the above promise by Prichard, witnessed by H. Pughe, William Collings and Thomas Griffiths.

REAR ADMIRAL WHETSTONE to ————

1704, July 27. At Sea.—A Swedish man-of-war, with nine merchantmen under his convoy, refused to strike, which occasioned a very sharp dispute between him and several of our ships, and considerable damages on both sides. As the *Worcester* is disabled, I send him in, together with the *Sorlings*, in charge of the merchant ships. Captain Butler will give you the best account he can. I have not been able to examine the lading of the merchant men; hearing several guns fired to the northward I am now with the squadron plying to windward, fearing there may be an attempt by the enemy upon our trading ships. *Copy.*

Enclosing memorandum giving particulars of the Swedish ship above mentioned and the destinations of the merchantmen. *Copy.*

[EARL OF LEVEN] to ROBERT HARLEY.

1704, July 27.—" I acquainted you formerly with what passed with relation to the succession. Since that the parliament has had the supply under consideration, which once seemed to be in a fair way to carry; but yesterday there was a proposal to tack the Act of Security to that of the supply, and that being like to carry, the Earl of Roxburgh made a proposal to delay the consideration of both the Act of Supply and Security until my Lord Commissioner should acquaint her Majesty, and after some debate, delay carried by a vote.

" No doubt the Ministers will write on this occasion, but what advice they will give to her Majesty I know not. In my humble opinion they have endeavoured to put the load off themselves and laid it on her Majesty by this proposal of a delay.

" Why should they not rather have yielded to the vote proposed by the other party; tack the act to the supply, yea or not? rather than put her Majesty to the necessity of declaring her mind on that matter. For the one way, it was a deed of the parliament, but the other a deed of the Queen, which is always to be shunned as much as possible, especially before a vote.

" The question seems now whether those who have the management will advise the passing the Act of Security or not. If they do, I suppose the great argument will be that unless it pass there is little hope of the Act of Supply being granted, and perhaps it may be so. But, on the other hand, if the Act of Security be granted, and that without it the supply cannot be got, what way will they get supply eight or nine months hence, when there is no such act to give for it. But besides, will it not be thought strange if the Act of Security pass, in which are most of the limitations, when the succession has not passed? What has the Queen to give to sweeten it if her Majesty thinks it her interest to press the passing thereof hereafter? For 'tis plain there is nothing of that sort to be expected without some equivalent.

" But if it be said that the army must disband if no supply be granted, I answer that I hope her Majesty will mind her own interest, though we neither do mind hers nor our own. And

certainly to disband the army at this time must be of very bad consequence to this nation, to England, and to her affairs abroad, and so I hope will not be thought of.

"The preservation of her Majesty's sacred person is the greatest security that these nations have, and nothing is more necessary for preventing the villainous designs of a Popish party than to have these kingdoms in such a condition of defence that upon the event of her Majesty's death, which God long avert, they may be able to act for themselves in opposition to Popery, a Popish successor, and a French power; and this can never be done but by a sufficient standing force.

"I cannot but acquaint you of a part of Mr. Johnstoun's speech last day in the House, which was the first time he spoke since the parliament met. He being accused as under the power of English influence, and as having undertaken to settle the succession, his answer was to this purpose—That he had never undertaken any such thing; that when the Duke of Marlborough spoke to him of it he told his Grace he would rather make the campaign with him than undertake it. That he could not be accused of English influence on this head because her Majesty had declared her measure four or five months before he had any meddling in our affairs. And that the Queen was obliged to do so because of some aspersions that were spread, as if her Majesty was not in earnest in that matter. This speech seemed to me very extraordinary, as not being very dutiful to the Queen. For to be obliged to do so, has an *innuendo*, as if it had been a force upon her Majesty; and this to be said by the person entrusted with the whole management made many people take the more notice of it. But I must say the present Ministry are unintelligible, and their procedure and management unaccountable. They have not imparted their measures or advised with the greater part of the Revolution party, as if they designed that what is proposed should not take effect. They have indeed procured a dozen of votes or thereby; but we have lost more than twice the number. The danger we are in is obvious. How to find the remedy is very difficult. But this I dare say, that this Ministry will never be able to do it; but I have said too much.

"I have received yours of the 20th, which I cannot but acknowledge was a very great honour."

[*Postcript.*]—"You will still be pleased to excuse my using a borrowed hand, which I do for fear of my letters miscarrying."

[Cf. Report on Harley Papers, ii, 99, 103.]

REAR-ADMIRAL WHETSTONE to ————

1704, July 29. Yarmouth Roads.—"My last was by express of the 21st instant from Yarmouth, which gave account of our seeing the Dunkirk squadron, twelve in number, which we saw go out of the Channel, between that place and Ostend. The Dutch and we were then together; we all chased them, but were outsailed by them, except the *Winchester*, who a little before night was within two miles of them and discovered

their force; the wind was then at S.W., but that night shifted to N.E. The Dutch having left us, we stood close upon a wind over the coast of England, according to my order to call at Yarmouth. Sailing close upon a wind the next day, we saw from our topmast head seven sail, which we judge to be part of that squadron; we kept our wind, but they were soon out of sight of us. We stopped that leetide before Lowestoft (Loestoff), where I called a consultation of the captains, and it was unanimously concluded that I should take what of her Majesty's ships of war could be spared to join us in pursuit of the enemy.

"The next morning, with the windward tide, we weighed, got off of Yarmouth, sent in our boat with orders to the *Worcester*, who was then in the roads, the Russian merchant-ships being gone without convoy four days before. We immediately plied away to the northward, the winds at N.N.E. and N.E., and so have continued ever since, blowing strong. We met with several Danes, who told us of some small privateers they had seen, and of a French man-of-war of forty-four guns belonging to Port Lewis, cruising off the Texell: we believing we had once sight of him, but he outsailed us; but none we have yet met with can give us an account of that squadron, nor can we learn the place of their rendezvous.

"About five o'clock on Thursday morning, just after we had tacked, before our head sails was trimmed, the *Worcester* runned us on board on the lee quarter, staved her own head and cutwater and knee in pieces, that they had much ado to secure their masts, and disabled the ship from farther service till docked; broke several of our quarter timbers and gunwale, carried away our gallery and ensign staff, split our mizen, broke our mizen yard; so that I fear this ship must be sent in to fit what amiss [*sic*], and may then clean, being very foul, if it be his Royal Highness' pleasure. The master being the only officer upon deck, I have ordered Capt. Butler to confine him till the Prince's pleasure be known. These misfortunes brought us now into this place. The *Chester* and *Assistance* are gone to their respective convoys, who have had no wind to sail with since our going from thence.

"About four hours after the *Worcester* runned on board us we saw from the mast-head twelve sail of ships, ten of them a little upon our weather bow, which by their number we judged to be the Dunkirk squadron, and therefore made all the sail we could to get up with them. The *Worcester*, *Winchester* and *Dover* sailing best, came up with them some time before the rest; it proved a Swede's man-of-war and nine convoys, some bound to France and some to England, as he said. The *Worcester* fired two shots at the man-of-war to make him strike. The Swede sent his boat to Capt. Butler to tell him he would not strike his topsails to any prince whatever. Captain Butler fired a third shot, which the Swede returned with a whole broadside, he having fifty guns. He battled those ships very resolutely, and some others fired a

broadside or two at him till he was much disabled, and then he struck. He has done much damage to our ships and men; the carpenter of the *Winchester* is killed and the boatswain of this ship. The damages and defects of them are enclosed. I have appointed such officers as the captains have recommended for good men till his Royal Highness's pleasure is farther known. I humbly recommend William Till for boatswain of the *Litchfield*, a person that is now mate of the said ship, well known to Captain Billingsly, and a very good officer to my own knowledge. Yesterday morning we saw a fleet of ships, which, coming up with, found to be the Hamburgh fleet, to whom I joined those Swedes, and sent only the *Worcester* to go in with them, because of her disability, sending an order to the *Sorlings* to join me again in this place, where last night I came to an anchor with the ships in the margin, and find the *Rochester* is gone from hence to look for us.

"I received here his Royal Highness's commands of the 22nd. By my express from this place I gave account of Rear-Admiral de Bours' answer to me, and of his leaving me upon the coast of Flanders. By the *Worcester* I have sent the Swede's captain's commission and instructions directed to you, to be laid before his Royal Highness. He showed abundance of contempt to her Majesty's sovereignty in these seas, and without expostulating, fired his broadside into the *Worcester* before they expected anything like it. The *Dover* has received several unlucky shot, which made the captain request a survey on his ship; the report of which is enclosed. I pray his Royal Highness's commands as to that ship. The *Litchfield* has received much damage by the *Worcester* running us aboard.

"We have among our ships about sixty or seventy men killed and wounded in fight with the Swede's man-of-war." *Copy.*

CAPTAIN T. BUTLER to COMMISSIONER HAMMOND.

1704, July 30. *Worcester*, at the Nore.—Sends enclosed a copy of his letter to the Prince and Council, which he desires may be shewn to the Speaker; also a copy of that part of his Instructions which enjoined him to act as he did; hoping that they may prove a sufficient justification for his action, his sole intention having been the preservation of the honour due to the Queen's flag.

Enclosing copy of his Instruction, to oblige all foreign ships to strike their topsail and take in their flag while passing him on this side of Cape Finisterre.

Also copy of the letter above mentioned.

"On Thursday the 27th inst., about E. by S. eighteen leagues from Yarmouth, I made a signal to the Rear-Admiral of twelve sail of ships in sight, believing they were the enemy; upon which he with his whole squadron gave chase, but the *Worcester*, getting a start of about two or three miles ahead, we made the chase to be a Swede's man-of-war of 48 guns, and the rest were Swedish merchant-ships under his convoy.

I came within shot with colours flying, expecting he would strike his topsail and pay the usual respect to her Majesty's ensigns, which he omitting to do, I ordered a shot to be fired athwart his forefoot, of which he took no notice, his topsails being up a trip. I then ordered another shot in the same manner; he did not yet strike, but sent me his boat with a lieutenant, who asked in his captain's name why I fired those two shots. I asked him if his captain did not see the ensigns of her Majesty flying; he answered, *Yes*. I asked him why he did not own her Majesty's sovereignty by striking to her colours as all other nations did in these her seas; he replied, they was to strike to no ship whatever. I answered that if he would not fairly do it without bringing it to a further issue, it was my duty to force him to it, and away he went; upon which I ran up with the ship and called to the captain myself, telling him if he would not strike I would fire a broadside into him. This not doing, I fired one shot through him; he fired another into me; we were loaded double and round below, and double round and patridge aloft, and so near that our yard-arms were within one another. I then ordered our whole broadside to be fired into him, which made a lamentable cry on board, and, as we are told by her own people since, there was twenty-five men killed and wounded. He fired at us, and so we were in for it broadside and broadside; our braces, bowlings and topsail sheets were so shot that, being afraid we should lose the working of the ship, I stretched ahead, knotted them again, came upon him on the other tack, and laid him athwart the hawse, and raked him with that broadside fore and aft. I then called to him to strike his topsails, but he would not. I loaded and fired as fast as I could. In this time some of our ships coming up fired at him, so I then stretched out ahead to avoid their shot and to knot our rigging again, and then came upon him the other way, yard-arm and yard-arm, and gave him that broadside; and thus it continued upwards of four hours, until both his topsail yards came down, and then we desisted.

"Whether his yards came down by shot or by his own striking I do not know, but the captain says himself he did not strike.

"I am now according to the aforesaid orders got hither with her Majesty's ship the *Sorlings*, the Swede's man-of-war, and ten merchantmen, all whom I keep with me until I receive his Royal Highness's or Council's order to relieve them.

"It is said by the master of the Swede's man-of-war, who speaks good English, that they had 134 men killed and wounded; but this is by no means allowed by the captain nor his lieutenant, for they will not own how great their damage is; but I went aboard myself and saw a very lamentable sight."

"By the judgment myself, my officers and other people make, the Swede is mightily in the French interest, and by chance the lieutenant was heard to say that he wished they

had met Monsieur St. Paul; and I am very much mistaken if there are not more Swede's men-of-war coming out to join the Dunkirk squadron, or to go for Brest. This I only take from chance of words I have heard spoken, but cannot produce any certainty for it.

"Lieutenant Tompson of the *Litchfield* is on board the Swede by the Rear-Admiral's order, whom I have advised by all means to find out what he possibly can of these matters, and to give it me in writing, which he promised to do."

"I humbly hope his Royal Highness and Council will be of opinion that what is done as to my part of it was but my duty to do in compliance with my instructions and the support of her Majesty's honour.

"The Rear-Admiral, seeing how warmly I was engaged, sent me thanks by my lieutenant for my proceedings therein."

DUQUAY HOVIN to MR. ROBERTS, Intendant at Brest.

1704, July 30. On board *La Jason*.—"On Sunday last the ship *L'Auguste* took an English ship of one hundred and twenty ton, laden with wines, came from Port o Port *(sic)*. I gave orders to the master of the prize to go directly to Brest, but did not think it considerable enough to send a convoy with her.

"Monsieur Monteton will give you an account of our meeting with an English man-of-war of 70 guns, which I chased close into Scilly, then thought it requisite to leave off. But had she not run away, I had given a more satisfactory account of her. I hope some good fleet of merchantmen will fall into my hands rather than the others, and I will do the utmost of my endeavours to find out the same. I just now took an English prize of seventy tons laden with sugar, and I think it proper to send *La Valeur* to conduct her as far as the Blackstones, and to return immediately to join us."

Appended, list of ships under writer's command.

The *Friendship*.

1704, June 24 to July 31.—Memorandum of what has passed in relation to the *Friendship* pink of London, lying in the Thames. Warrant to seize her for coming from Bordeaux, where she had been trading with her Majesty's enemies. Warrant to apprehend Charles Craven, the master of the pink; and [Michael] Stretch, who came out of France in the pink without leave. *Copy*.

PAMPHLET entitled "OF THE FLEET AND SIR GEORGE ROOK."

[1704, July ?]—"It will easily be allowed, the fleet may be made more useful than it is. If the enemy did not know by happy experience that our naval force does them no harm, they would always be obliged to keep more forces on

their coasts, and consequently want them elsewhere. 'Tis plain they have a most despicable opinion of our naval expeditions, and have too much reason for it.

"Our fleet with about 5000 men on board might keep them in continual alarm. They must have twenty battalions at least to guard the coasts of Provence, and as many those of Languedoc.

"We talk of relieving the Camisards. Nothing can do it so effectually as to have our fleet hovering on that coast, sometimes landing a few men here, sometimes there. The Maréschal de Villars must draw down to Montpellier and the sea coast, and by consequence give the Camisards room to spread themselves and act at large.

"But our fleet does nothing of all this. 'Tis commanded by a person the people hates; and all miscarriages will lie at his door, whether the fault be his or no.

"No reflection can lie against the person employed but tacitly affects the government employing, and nothing reflects on the government but it touches the ministry.

"Portugal is an instance of this. All our complaints of conduct are stopped at once by her Majesty's displacing the general. People say her Majesty has found herself ill served, has altered her measures and changed the general.

"But when the people ask one another of the fleet, the common answer is: *How should we expect better with such an admiral? A man that never once fought since he was an admiral; that always embraced the party that opposed the government, and has constantly favoured, preferred and kept company with the high furious Jacobite party and has filled the fleet with them.* How should we have good captains while such a man promotes them? And this is the reason why we have no officers in the Navy fit to prefer.

"The French presume upon this misconduct of ours. 'Tis not to be supposed the French admiral durst have ventured into the Mediterranean with twenty-nine sail, when our fleet was there before him with a force very superior. It must be a scandal on our admiral, or on the nation. Either on the admiral that they knew he durst not fight them, which affects his courage, or that they understood one another, which is worse and affects his fidelity.

"Or it is a scandal on the whole English nation, as if twenty-nine French men-of-war could be a match for forty-five English.

"The manner of the conduct afterwards is perfectly scandalous. *Our fleet saw the enemy at the distance of three leagues*, say the relation. *Why did we not fight them?* say our old tarpaulins; and all the Exchange after them, *Why did we not chase them?* Why, we did chase them, but found they gained upon us.

"*What, do they outsail us always?* There never was a fleet but that some ships sail better than others.

"*What! did the worst of their sailors outgo the best of ours?* Then our navigation, or building, or sails are defective and

should be enquired into; and the charge of a fleet saved till they are fit to match the enemy at sailing as well as fighting.

"*But they towed away with all their boats*! So might we have done too, and ought to have continued the chase till we had seen them in port; have waited on them to their own doors, and have insulted them there.

"But at last, what can be said how they got by us? How they got beyond our fleet? Why did not Sir G. R., when 'tis plain he knew the French were in the Mediterranean; why did he not post himself at the Isle of Hyères (Heires), and keep his guard upon the very Road of Thoulon, where they must have come, of course, and where it had been impossible to have entered without fighting him?

"To say, *They might have fallen upon him there, and the ships from Thoulon have joined in the fray*, is imposing upon us, for we all know they durst not stir till the very action, ours lying before their port; and there must be so many concurring accidents of wind and tide, all which must hit the very minute of action, that the hazard of it is not worth naming.

"These are some of the Town discourses, and there are scandalous letters in Town from the fleet itself on this head. The action at Barcelona is counted as monstrous as all the rest. To land a force inferior to the enemy, and indeed, disproportioned to the attempt, had some most scandalous circumstances in it.

"'Twas hardly rational to expect the people of Barcelona, had they ever so much inclination to the thing, should appear when they saw the force landed was not sufficient to protect them. Had there been landed three to four thousand men, and the fleet in good earnest applied themselves to their assistance, there is no room to doubt the town had been taken.

"The country, thinking their friends were come, and not knowing this force was so small, began to show themselves; and as several hundreds did come in, many more were on the road, and the whole province was at the very point of revolting, when the fleet, being bound on another expedition, resolves to be gone: and all the well-meaning inhabitants are left to the fury of the enraged enemy to be dragged to execution and destruction by the hand of the hangman, just as the French did at Messina.

"The complaints of all sorts of people on this head are very severe, and the more so because not to be answered. If it be answered, *the King of Portugal deceived them;* 'tis replied, then the attempts should not have been made, and the poor people not exposed.

"If Sir G. R. alleges his orders for the relief of Niza, or Vill[a] Franc[a], then he should have sailed thither first, and have made this attempt at his return when he had leisure to have carried it on. There seems no question but, if he had stayed, the Catalans were so disposed to join, they would soon have been strong enough to have forced the town.

"These are the present grounds of complaint as to the fleet, which as to the matter of them are very considerable as to fact.

"As to the defence the admiral can make, etc. This, with submission, I do not see material. It remains to consider whether in such cases it has not been generally thought needful by all politic princes and states in the world, to recall any general or admiral who comes under the unhappiness of these circumstances:—

"(1) Either to have committed any capital mistake, though not by design, want of courage, or negligence.

"(2) That has the misfortune to fall under the general censure and hatred of the people, whether deserved or no.

"(3) Or that, generally speaking, is always unfortunate.

"In all these cases the general may be really clear; but yet all ages are full of instances of such being laid by as, at least, improper persons, if not otherwise culpable. The Grecians, the Romans, and the Carthaginians always laid by unfortunate generals as persons the gods were angry with and would not prosper. The Turks do the same to this day; of whom 'tis well observed that they are never betrayed.

"Our easy way of acquitting men in councils of war and by examination of parties perhaps concerned in a mistake gives room for men to abuse their trust in confidence of coming off upon the artifice of future management. Though to miscarry ought not in justice to be criminal, yet in policy it should always entitle a man to be useless; otherwise a general shall be indifferent as to success, his own fortunes being not concerned.

"Besides, who knows whether Sir G. R. has miscarried for want of discretion, or for want of honesty, or for want of judgment, courage, or anything else? And if this be doubtful, how can such a man be trusted with the English Navy before the case is decided. If a miscarriage has happened, there ought at least be a suspension of command till the man charged is justified. For 'tis an unaccountable risk, and such an error in politics as no minister of state would be seen in, to commit the charge of the English fleet, the safety and honour of the nation, to a traitor. If such a thing should chance to be made out, what can be said to excuse so much credulity? For to be suspected is certainly reason enough not to be employed.

"The Queen cannot do an action more agreeable or obliging to the generality of the nation than to remove this gentleman, and commit the navy to another. If he be afterwards acquitted, her Majesty may restore him with honour to himself and satisfaction to the world; but to employ him while all the world suspects him is taking all the blame of a miscarriage on the Queen and ministry if he be proved guilty. To remove a man from his power clears away the proof of fact, which his station screens him from, and which discourages complainants from attempting.

"'Tis enough to a government that the people in general decry the man; for though common fame is often a liar, yet universal clamour always demands a suitable regard, or is apt to assert the government as wanting in a due care of things, and careless of the public dissatisfaction.

"'Tis true, to have enemies is no crime, but to have wise men one's enemy, and men of moderation and temper be uneasy, is a sufficient ground to suspend a man from a charge of such consequence till it appears whether there is a crime. He ought to be tried indeed before he is condemned, but shall such a man command till he is tried? If he appears guilty, then the navy, the honour, the safety of England is put in the hands of a criminal. If he be dismissed, yet innocent, the injury is but to one man; but if he be continued and be guilty, the injury is to the whole nation, and the hazard is too great to be ventured.

"The nation's safety, the public reputation, and the credit of the ministry, calls for a suspension at least of this obnoxious suspected man."

[*The handwriting is that of Daniel Defoe.*]

Case of the *Neptune*.

1704, July, N.S.—Extract from the register of the resolutions of the States General of the United Netherlands concerning the brigantine *Neptune*. [*Copy in French.*]

Dr. George Bramston to [Robert Harley?]

1704, August 1. Doctors' Commons.—"I hope I have in the account enclosed answered your commands, and that what I have laid before you will serve for a full reply to those complaints in the extract mentioned . . . There has not been yet any complaint made to the Court of Admiralty of any excessive expenses or embezzlements made in any Swedish ship during this war."

Enclosing Report.

I do not believe that Mr. Jackson has perused any of those papers or passports of which he writes; for had he done so, he would not have found one ship which—having regular passports and papers such as are required by the treaties with Sweden—has been stopped and brought up during this war; nor has there been one vessel under examination during the whole of this war which has been furnished with such papers and passes as could be adjudged conformable to the treaty.

As to the ship particularly named, the *Hope*, Voss master, the state is thus:—She took in her lading of wine, etc., at Bordeaux, bound for Stade, on account of Warner Groen, of Stockholm. On her passage she was taken by two Guernsey privateers, and upon examination in the Admiralty, the ship was restored but the lading condemned as being bound for a place within the avocatoria, which Stade is. This sentence was confirmed by the Lords of Appeal. This is no new doctrine, for both in this and during the whole of the last war all goods being carried from France or Spain to ports within the imperial avocatoria were ever condemned as good and lawful prize. *Signed.*

SIR J. COOKE to RICHARD WARRE.

1704, August 5. Doctors' Commons.—The warrant "must come directly from the Queen directed to me as Advocate General, and to Thomas Smith, Esq., her Majesty's Procurator General."

Endorsed.—"Sir John Cooke, [on] H. Knees."

LADY E[LIZABETH] INCHIQUIN to ROBERT HARLEY.

1704, August 6.—Praying for the speedy release from prison of John Vaughan, who was pressed into the land service. His parents are tenants of hers in Montgomeryshire, and old servants in the family of Lord Herbert of Chirbury; and he has a farm of his own in that country.

RICHARD CRAWLEY to [ROBERT HARLEY.]

1704, August 8.—"An account of the merchants' ships lately taken in fight under a Swedish convoy by Admiral Whetstone, and brought into the river of Thames."

Giving names of ships and their masters, whence and whither bound (as is pretended), and lading.

JO. BLENCOW and R. TRACY, Justices, to [ROBERT HARLEY.]

1704, August 9. Hereford.—Stating that they have examined the churchwardens and overseers of Backton, in the some county, concerning the complaint made by James Prichard in his petition that he had been unjustly pressed into the Queen's service. They find that he maintains himself as a stonecutter or mason, but is neither a householder, master of a family, nor parish constable, and is an idle drunken fellow. Believing therefore that the suggestions made in his petition are false, they have left him to her Majesty's disposal. *Signed.*

RICHARD CRAWLEY to RICHARD WARRE.

1704, August 11. Doctors' Commons.—I received your letter of the 5th instant, enclosing one to the Queen from the city of Dantzig, praying for the restoration of some goods seized in the *St. John* by the *Weymouth*. No ship of this name has been taken by the *Weymouth*, but on a strict examination I suppose the letter refers to a *St. John* which was taken by a privateer and brought into Weymouth, where the ship, as a Stralsunder, was condemned to the privateer on June 19: but the goods were restored to the Dantzigers on August 2.

LOSSES AT SEA.

1704, August 13.—"List of officers and men slain and wounded in the battle" [of Malaga.]

Captains only are named. In all, English, slain, 695; wounded, 1,663. Dutch, killed and wounded, 400.

JAMES STANCLIFFE to ROBERT HARLEY.

1704, August 23.—"I have long been desired by a friend of mine, whose concern it is, to lay the enclosed paper before you. . . . I beg that at some spare minutes, if any such belong to you, you would cast your eye over it. . . . My friend is sensible there will be some considerable charge in passing a matter of this nature, but is willing to move upon the best grounds, and therefore betakes himself to the springhead.

"I saw Mr. F. yesterday, and he seems to be much dejected by the deferring of hope, which, the wise man says, makes the heart sick; but at the same time he and all men must know that your hurries of late have been such as are not ordinarily met with. However, for the occasion of some of them we heartily rejoice, and wish you many more such happy interpositions during your ministry."

[Mr. F. is probably Daniel Defoe, who was a correspondent of Stancliffe's.]

Enclosed is the petition of Joanna and Rachel Soumans to the Queen. Their father, Arent Soumans, being a native of Holland, made his last will in 1681, bequeathing his temporal estate to his children in equal shares according to the law of Holland. Removing to Scotland, he purchased lands in East and West Jersey, believing himself to be a British subject, and intended to settle there with his family, but was murdered on the highway on a journey from England into Scotland, leaving a son, Peter, and the two petitioners. After this they enjoyed their estates according to the said will; but now Peter pretends that the lands in America having been purchased after the will was made, when his father was a British subject, ought to descend to him as heir-at-law, and not to be divided according to the custom of Holland. But since the said lands are held of the manor of East Greenwich, and the said father was an alien, the Queen is entitled to all the lands. Petitioners having little else to possess, and considering their father's ignorance of the law, pray that the Queen will grant her title to the lands to certain persons to be named to hold in trust for their father's family according to his will.

Also the case of Arent Soumans, setting forth the like facts.

[W. CARSTARES to ROBERT HARLEY.]

1704, August 25. Edinburgh.—"It is unnecessary to burthen you with an account of what hath passed in our parliament, while I doubt not but you have it fuller and more exact than I can pretend to give it. Both your houses of parliament have been canvassed, and as the one was blamed for their carriage towards us, so the other was not judged to deserve our thanks, for we were not willing to give too much reason to the one to triumph over the other; but it was thought fit to give this proof of our independence, as we have given another in seizing an East India ship belonging to your nation, by way of reprisal for one seized in England that was under

the protection of our African Company. We hope that these methods will make you more gentle to us, and bring you to think of giving us good terms to encourage us to come into your succession.

"But this nation, as it is divided in many things, so it is not of a piece as to these methods of assisting our sovereignty, for men's thoughts of them are various. It was expected that we should have had commissioners named ere now for treating with England, but it is said that the Duke of Queensberry hath so many friends in parliament that he would have been named as one, which some say that the managers of affairs here will not consent to, but do rather choose that there should be no nomination at all.

"Your old friend Mr. Fletcher is an Ishmael in our parliament; our new Register [James Johnston] hath no governing weight here as some inform me, he will no doubt give a great many reasons why things have not succeeded better, for I always looked upon him to be a man of good invention, but I am apt to think that affairs could not have gone worse had he stayed at Twickenham. The Earl of Leven carries well, he and his father have many in this parliament that have appeared for them in some particular affairs that came before the house.

"The enclosed paper is a monitory letter sent by the commission of this church to all the Presbyterians through the nation. I presume to send it to you only for your own particular use, because I conceive it will discover to you the sense that our ministry hath of our present condition."

Enclosure.

Monitory letter from the COMMISSION OF THE GENERAL ASSEMBLY.

1704, August 8. Edinburgh.—Setting forth the dangers to the reformed churches from the profaneness and indifference of the people, and the activity of Romish emissaries. Exhorting their brethren to excite the people "to stand in the gap and wrestle . . . for the church and nation . . . that we may be preserved from a Popish successor to the crown," and to call the presbytery together to keep a day of fast and humiliation. Recommending that this letter may be recorded in the presbytery books. *Signed*, Thomas Wilkie, Moderator.

J[OSIAH] BURCHETT to ROBERT HARLEY.

1704, August 31. Admiralty Office.—I enclose a copy of an extract from a letter received this morning from Rear-Admiral Whetstone, who has returned to the Downs with the trade from the North, concerning the Swedish merchantmen brought in by the *Worcester*.

Enclosure.—"A merchant at Crokery, in Norway, that trades to Sweden, gives me an account that those Swedes which

we sent up to London were laden with naval stores bound for France, who, waiting some time for M. St. Paul's arrival, but he not coming, they manned out a Swede's man-of-war with the choicest of their men to be a convoy thither." *Copy.*

Account of the Battle of Malaga [by the Comte de Toulouse.]

[1704, August.]—" Estant mouillé le 22e à Veles Malques, ou j'estois venu pour faire de l'eau, les fregates que j'avois en garde me firent le signal qu'elles voyoient l'armée ènemie (pour lors il estoit trois heures apres midi), et il y avoit si peu de vent que tout le monde jugea que les ennemis ne pouvoient pas arriver jusqu'à nous ce jour la; si nous avions appareillé pour lors les courants, qui sont tres vifs en cet endroit, nous auroient mis en confusion, ainsi je me contentai de faire revenir promptement tous les gens que nous avions à terre, et d'envoyer les vingt-quatre galleres, tant de France que d'Espagne, se mettre aupres de vingt-quatre vaisseaux qu'elles devoient remarquer un peu devant le jour, pour les conduire à une lieue au large, et de là revenir prendre le reste et les mener joindre les autres, afin que les ennemis nous trouvassent en bataille. La nuit it vint un peu de vent du costé de la terre, et nous appareillames à la pointe du jour du 23. Les courants, qui portent fort à l'Est icy, avoient deplacé la nuit les ennemis, de maniere que le matin nous ne les voyons plus. Je courus au large afin d'avoir de leurs nouvelles. A dix heures du matin, les vaisseaux de l'avant-garde me firent le signal qu'ils voyoient l'armée ennemie, et en effet nous les vismes peu de tems après, quoi que de loin, ils avoient le vent sur nous. Nous employames le reste de ce jour à nous preparer au combat, et nous mettre en bataille le mieux que le peu de vent qu'il faisoit nous le pût permettre.

" Le 24 à la petite point du jour nous les vismes à environ trois lieues au vent de nous, et nous connumes en même tems qu'ils se mettoient en battaile. En arrivant sur l'armée nous estions pour lors Nord et Sud et Sud de Malgue environ à dix ou onze lieues. Leur armée estoit composé de trois escadres, celle qui portoit pavillon blanc à croix rouge estoit commandé par Shovel, et faisoit l'avantgarde; la seconde portoit le Jack au grand mats à l'ordinaire commandé par l'admiral Rooke, et avoit le corps de bataille; la troisième composé de tous vaisseaux Hollandois faisoit l'arrieregarde; on m'a assuré que leur commandant se nommoit Calenbourg. A l'esgard du nombre je ne puis pas le dire à quelques vaisseaux près; on leur a compté soixante quatorze voiles, parmis lesquels il y avoit cinquante six vaisseaux qui arrivoient en ligne, et l'on en voyoit encore quelques uns esloignés qui paroissoient gros, lesquels ont rejoint pendant le combat; en sorte qu'au rapport de beaucoup de gens la ligne des ennemis a esté de soixante vaisseaux, parmis lesquels il y en avoit fort peu de petits. Notre armée estoit composée de trois escadres; l'une blanche et bleue

qui faisoit l'avantgarde commandé par le Marquis de Villette; l'autre blanche qui est la mienne, et faisoit le corps de bataille; et la troisième bleue commandé par M. le Marquis de Langeron et faisoit l'arrieregarde : à l'esgard des gallères M. le Marquis de Roye estoit au corps de bataille avec quatre; M. le Duc de Tursis à l'avantgarde avec les sept qu'il commande et les cinq d'Espagne, et M. de Ferville avec huit de France pour l'arriergarde.

" Dans cette disposition faisant gouverneur perpendiculaire du vent les deux huinieres *(sic)* sur l'etoy, afin de se maintenir plus facilement en ligne et d'estre en estat de faire les mouvements convenables par rapport à ceux des ennemis, nous aperceumes que leur avantgarde arrivoit sur la nôtre et qu'elle estoit fort escarté de son corps de bataille. M. le Marquis de Vilette, qui crût le faire enveloper par les vaisseaux de la teste, fit signal aux premiers vaisseaux de forcer de voille : ce qui n'ayant point empeché l'admiral Shovel d'arriver, comme il faisoit d'abord, il estoit si avancé qu'il se trouva insensiblement dans nos eaux de l'avant avec quelque intervalle entre le corps de bataille et lui. Cette scituation qui nous paroissoit favorable nous fit prendre le parti de retenir le vent en forcant de voiles avec le corps de bataille pour couper cette avantgarde, esperant que si le calme venoit, comme il arrive ordinairement dans les combats, nous nous ferions remarquer par les galleres pour doubler cette avantgarde et la mettre entre deux feux, ce qui seroit arrivé infalliblement si ce mouvement avoit pu s'executer. Shovel, qui s'en apperceut, retint aussitôt le vent; et l'admiral Rook, qui en prévit les consequences, fit le signal de commencer le combat et arriver sur nous l'avantgarde de son corps de bataille, par où commencea le combat. Il estoit pour lors dix heures à ma montre : le feu commenca donc generalement par toute la ligne. Je ne puis rendre compte que de ce qui se passa au corps de bataille, et pour ce qui regarde l'avantgarde et l'arrièregarde j'ay esté obligé de m'en rapporter aux commandans de ces escadres : la fumée faisoit une nuage si espais, que dans des moments à peine voyois je les vaisseaux qui estoient à l'avant et à l'arrière de moi : la canonade fut très vive partout. M. le Marquis de Vilette auroit sans doute remporté un très grand avantage sur l'avantgarde des ennemis, puisque suivant son rapport il y avoit desja cinq de leurs vaisseaux qui avoient quitté la ligne lors qu'une bombe tomba sur sa dunette, qui la fit sauter, et l'aurait mis en risque de sauter quelque tems apres luy même par le feu que cette bombe avoit mis à son vaisseaux, s'il n'estoit un peu arrivé et sorti de la ligne pour se reparer et eviter cet accident. Le même accident arriva à M. de Bellisle; une bombe ayant mis le feu à son vaisseaux ce qui l'obligea d'arriver; quand cela arriva M. de Bellisle avoit desja esté tué.

"Pour le corps de bataille il arriva une chose que je crois n'estre jamais arrivé en un combat de ligne quand on est sur le vent; qui est que le troisième vaisseau de mon avant, commandé par M. de Chamellin, fut trois

fois de suitte à l'abordage d'un vaisseau qui se trouva aupres de luy et le quitta, et la troisième, parce qu'il mit le feu en plusieurs endroits dans le vaisseau enemi. A cause de la fumée je ne scay ce que ce navire est devenu depuis : il fut dans la vivacité de ce combat si desamparé, et perdit tant de monde, qu'il fut aussi obligé de sortir de la ligne pour se reparer, aussi bien que M. le Chevalier de Grancey, qui estoit aupres de lui et se trouva si criblé de coups et si desemparé qu'il fut obligé d'en faire autant.

" A l'arriere garde le combat fut aussi très vif, et Monsieur de Langeron m'a dit que de son vaisseau et de plusieurs autres on croyoit avoir vu couler à fonds un des vaisseaux avec qui il avoit eu affaire. M. de Rouvroy, qui estoit de ses matelots, après deux heures de combat receut plusieurs coups de canon, qui lui mirent tant d'eau dans son vaisseau, qu'il fut obligé de sortir de la ligne pour le reparer. M. de Rochelard l'aisné, qui eust affaire avec son navire de soixante canons à Shovel, qui en avoit un de quatre-vingt-dix, fut aussi obligé de sortir de la ligne, son vaisseau estant tout criblé et desamparé. M. le Chevalier Desmont et M. de Pontach, qui commandoient de petits navires, eurent affaire avec de beaucoup plus gros [et] se trouvèrent aussi obligés d'en faire autant. Du costé des enemis nous en vismes aussi plusieurs qui se retirerent du combat. En general nous sommes toujours demeurés dans notre même terrain, et partout ce sont les ennemis qui ont voulu finir le combat, et s'esloigner de nous, en tenant le vent autant qu'il leur estoit possible. M. le Bailly de Lorraine, qui estoit mon matelot de l'avant, a toujours tenu son poste près de moi, et a fait tout ce qu'on pouvoit attendre d'un brave homme, jusques à ce qu'il ait esté tué. Je dois la justice à M. de Grandpré, qui se trouva commandant de son vaisseau après sa mort, que nous ne nous apperceumes pas de la perte de Monsieur le Bailly ; et que ce vaisseau fit toujours tout ce qu'on pouvoit desirer. M. de Relinque, qui estoit mon matelot de l'arrière, fit aussi tout ce qu'on peut attendre d'un homme comme pour un aussi bon officier qu'il est. Il eut la jambe emporté eu bout de deux heures de combat ; et M. de Rochelard le cadet, qui par cet accident se trouva commandant son vaisseau, le maintint si bien à son porte, fit un si grande feu et si à propos, que l'on ne s'apperceut non plus de la blessure de M. de Relinque. Le combat finit à l'avant garde sur les quatre à cinque heures ; au corps de bataille elle finit apres sept heures ; et à l'arriere garde les ennemis tirerent encore à la nuit, mais de si loin qu'à peine leurs boulets arrivoient ils à nos vaisseaux.

" Je ne scaurois dire trop de bien des officiers de mon vaisseau, non plus que des gardes marines qui ont temoigné les uns et les autres toute la valeur et le sang froid que l'on peut desirer. Si je disois tout ce qu'il y a dire sur tous les officiers de l'armée, je ne finirois point ; ayant tous les lieux du monde d'estre contant, et me reservant à leur faire connoître

ma satisfaction par des choses plus essentielles. Tout ce qui me fait de la peine c'est la quantité d'honestes gens que nous avons perdu dans cette occasion ; mais une bataille comme celle la ne se peut pas passer sans y perdre de bons sujets.

" Nous demeurames la nuit qui suivit le combat à portée du canon des uns et des autres. Je fis porter des feux à tous les vaisseaux de l'armée et il n'y eut que les vaisseaux des ennemis portant pavillon qui en avoient. Le 25me au matin les vents estants changés et estant revenus à l'Ouest, les deux armées reformèrent leurs lignes, qui par les courants, le calme, et la nuit avoient esté fort derangés. Nous estions alors à une lieue les uns des autres. On courut dans cette scituation aux côtes d'Espagne, et chacun de son costé ayant besoin de se remettre en estat, ce fut la l'occupation de la journée. Il nous parut que les ennemis estoient bien aises de s'eloigner de nous insensiblement ; en effet ils firent si bien qu'à l'entrée de la nuit ils estoient esloignés à trois lieues de nous. Ils mirent pour lors le cap à la costé de Barbarie. Pour nous, nous continuames la bordée à la coste d'Espagne jusques à minuit, que l'on jugea à propos de revirer de bord à celle de Barbarie pour joindre nos vaisseaux desemparés, qui n'auroient pu nous suivre et se maintenir au vent de l'armée enemie. Cette bordée fit que nous nous trouvames le lendemain matin assez pres les uns des autres, mais le vent estoit revenu à l'Est, et pour lors les ennemis, qui estoient à environ quatre lieues à vent à nous, avoient une belle occasion de recommencer le combat, s'ils eussent voulu ; mais il ne parut pas qu'ils en eusent envie. Ils nous cotoyèrent tout le jour sans nous approcher. La nuit, les vents estant toujours à l'Est, j'ay continué ma bordée tirant à la côte d'Espagne, où je voulois mener les galeres, qui estoient dans un partage tres dangereux pour elles, et me lever de la costé de Barbarie, dont je m'estois trouvé en peu trop prés par les courans dangereux, qui portent à terre. Il y a apparence que les ennemis profiteront de ce tems pour regagner le destroit, car nous n'en avons eu aucune connoissance depuis, malgré les fregates que j'avois envoyé pour les observer à l'air de vent, où ils me resterent. Je ne scay point encore où ils ont tourné ; mais si c'est au destroit, ils me laissent maître du champ de bataille, et avouent bien qu'ils ne veulent plus avoir affaire à nous ; à moins que leur superiorité ne soit encore plus grande. Quant à moy, je suis revenu à Veles Malques, où ils estoient venus me trouver, où j'attends de leurs nouvelles, et où je vais faire de l'eau.

" J'oubliois de dire que vers les trois heures il s'approcha deux fregates que nous primes même pour deux brulots, qui vouloient tenir sur nous à la faveur du grand feu que Rook et son matelot faisoient pour lors. Ce fut des batiments à bombes qui nous en tirèrent beaucoup, suivant le rapport des fregates que j'avois sur les ailes ; car pour nous, nous ne nous apperceumes pas si bien à cause du grand feu.

" Les ennemis avoient pour eux toutes les avantages qu'ils pouvoient souhaiter ; la superiorité du nombre de vaisseaux, le vent sur l'armée du roy, qui a esté assez frais pendant tout le

combat, avec assez de mer pour que nous ne puissions pas tirer des galeres tout le service qu'on devoit attendre de leur bonne volonté. Elles n'ont pas laissé malgré cela de remorquer à la arrieregarde deux vaisseaux qui estoient fort sous le vent, et les remettre en ligne. Je leur dois beaucoup de louange de s'estre trouvés aussi hardiment et aussi long tems qu'elles ont fait dans un parage aussi dangereux, surtout depuis la perte de Gibraltar.

"On m'a assuré aussi qu'il estoit coulé a fonds un vaisseau ennemi à l'avantgarde; ainsi ce seroit deux." [*? Copy.*]

Communication with North America.

1704, September 1. (*Received.*)—"Account of the conveniences, profits and advantages, as also of the charge of establishing packet-boats for North America." Computing that 100,000 letters go yearly to the colonies and as many are returned, which at 9*d.* per letter (which is the charge to the Barbadoes) will produce 7,500*l.* *per annum.* The annual cost of a service of three boats is estimated at 4,500*l.*

J. Burchett to Richard Warre.

1704, September 4. Admiralty Office.—Her Majesty's sloop *Wolf* has been retaken by one of the Maes cruisers. The Prince desires that Mr. Secretary Hedges will write to the Queen's envoy in Holland to procure the delivery of the sloop to such person as shall be appointed, upon paying what is just and reasonable for salvage.

Enclosing copy of letter of advice from Rotterdam, *dated* August 29th. The *Wolf* was taken by an Ostend privateer, and retaken by one of our cruisers which belongs to the Maes.

[C. Leyoncrona to Robert Harley.]

1704, September 5. London.—When the cause concerning the ship *Hope* and her lading was depending before the Lords of Appeal, I delivered to Mr. Secretary Hedges a deduction of the proofs, whereby it appeared that the ship and goods belonged to Werner Groen, a Swedish subject, burgher and inhabitant of Stockholm. A copy of this deduction is annexed under letter A, and of the attestation of the magistrate of Stockholm under letter B (*not here*).

As to the objection made by the counsel for the captor, that the ship came from France and was bound to Stade in the Duchy of Bremen, to a place that is not neutral, it belongs only to his [Swedish] Majesty to prescribe laws and rules to his subjects in their trade and to declare his provinces in Germany neutral or engaged in war. It is true that his Majesty, as far as concerns these provinces, concurred in the resolution of the Diet at Ratisbon as to the declaration of war against France and Spain, and, with the other estates of the Empire, advised the publication of the

Avocatories; but by this his Majesty did not give up the trade between his other dominions and these provinces. There is a great difference between the Avocatories and a prohibition of trade; and no resolution prohibiting trade has been taken by the States of the Empire, or at least none such has been intimated by the Emperor to the circles; though if it had been it would not affect the Swedish provinces without the King's consent. As to Werner Groen, his pass was granted fully six months before the publication of the Avocatories in the lower circles, and he has acted without fraud or colouring, having declared at the time the pass was granted that the ship should go from France to Stade, which was not then prohibited; and having since offered to give security that she would not go to Stade, but to some neutral place deemed sufficient. "It is not doubted but that her Majesty being acquainted with the solid grounds and reasons for the clearing of the said goods, will be graciously pleased to order the restitution of the said goods, with satisfaction for all costs, charges and damages, and that is what I am expressly ordered to desire."

THE PRINCE'S COUNCIL to ROBERT HARLEY.

1704, September 6. Admiralty Office.—Giving a disposition of the ships at home to be laid before the Queen. "The Russia merchants being very instant for some cruisers to look out for their trade coming from Archangel, if her Majesty will give leave that two fourth rates be taken from the Newcastle convoy, which we conceive is reasonable, now the city has more than the usual proportion of coals for this year, and the season being so far advanced that the great colliers must be laid up, that service may also be complied with." *Signed*, D. Mitchell, Geo. Churchill, J. Brydges, H. Pagett.

Endorsed "Prince's Council;" *and by Harley.*—"September 11, 1704.—Her Majesty approves this disposition; but as to the convoy for the coal ships, Lord President is to [be] spoke to for explaining the order made Wednesday last in the Privy Council, that after Michaelmas some of the men of war may be spared."

ENLISTING OFFICERS.

1704, September 9. (*Received.*)—"The names of several officers that list insolvent debtors or men for them in and about London."

RICHARD CRAWLEY to RICHARD WARRE.

1704, September 12. Northaw in Hertfordshire.—It was decreed by the Court of Admiralty that the ship *Hope*, John Hansen Voss, master, was to be restored, as belonging to Warner Groen, a subject of Sweden, but the lading was condemned. This condemnation was confirmed by the Lords of Appeal, and the cause was remitted to the Court of Admiralty, which declared

that freight on the condemned goods ought not to be paid by the privateer. An appeal from this decree is now pending and may be heard at their Lordships' next sitting.

As to your question whether the cause cannot be reviewed, her Majesty may, *prærogativa regia et plenitudine potestatis*, grant a review if she thinks fit, on a petition from Groen, by an order to the Lord Keeper. But before such a commission be granted it will be proper to consider very well of it; for there was but one all the last war, and the difficulties which attended it were so great that no other was ever attempted.

Richard Crawley to Erasmus Lewis.

1704, September 13.—Gives some account of the cause now pending in the Court of Admiralty about the effects taken by Kidd. A certain Cogi Baba and others, Armenians, pretend that the goods seized with Kidd belonged to them, and were piratically taken from them by Kidd out of the *Quedah* merchant. To prove this, commissions were appointed to examine witnesses in Bengal, Surat and Ispahan; several witnesses have been so examined, and others here in England, and the cause stands to be heard on the 28th instant.

One Corso, who also pretends that he was robbed by Kidd, appeared in court about six weeks or two months ago and presented his petition, with some affidavits, but shortly after desired to have them again. Apparently he now does not pretend to anything in point of law but only to entitle himself to the Queen's bounty.

Endorsed by Harley.—"Write to Mr. Crawley about hastening Thompson's ship's trial."

J. Burchett to the Secretaries of Robert Harley.

1704, September 18. Admiralty Office.—The Commissioner of the Navy at Chatham has sent here Francois Armand, a French Roman Catholic, found on board the *Fubbs* yacht, together with his trunk. I send him to you to be examined by Mr. Secretary, and enclose copies of the letters concerning him.

Enclosing letter from Richard Biron, captain of the *Fubbs*, to Commissioner St. Lo, and copy of extract from a letter from St. Lo to the effect that Armand had come from France since the war began and was endeavouring to return, and that he confessed to having been a prisoner at Dover for a considerable time. *Dated* September 16th, 1704.

Case of the *Worcester*.

1704, September 20.—Proceedings between Roderick Mackenzie, Secretary to the Company of Scotland trading to Africa and the Indies, and Captain Thomas Green, master of the ship *Worcester*; setting forth the "libel" of the Company; the precept of the Court of Directors citing Green to appear before the High Court

of Admiralty; the first and second petitions of Green and the "interlocutors" thereupon; defence given in for Green and the answers thereto; "the Judge Admiral's interlocutor"; Green's third petition, drawn up by Sir David Cunninghame; and additional defences for him. *Copy.*

[W. Carstares to Robert Harley.]

1704, September 20. Glanderston.—"Our great men are now with you, and what scheme our late managers will propose I know not, nor do I find by any that I have conversed with, and those have been of all qualities, that they have laid down any measures at all for giving a settlement to this nation; or if they have done it, they have concealed them from the far greater part of those members of parliament that are looked upon to be firm in the interest of the Revolution. And I may confidently say that if they shall not take other methods for carrying business than they have done this last session of parliament their interest will be found to be very insignificant.

"The Act of Security that is now passed is what we must judge to be for the good of our nation, but those that are looked upon here to be men of sense do not think that it is of any advantage as to the settling of the Succession, and many heartily wish that it may not prove to be an obstruction to it.

"In this country, which is about Glasgow, people are thinking of providing themselves with arms and ammunition, that they may not be surprised by any that may have designs to bring in a Popish successor.

"I must acknowledge that her Majesty's willingness to make up the losses that this poor country did sustain by the affair of Darien was an extraordinary favour; though our statesmen did not think fit to take notice of it, and I must be so just to them as to say that in my humble opinion they did well not to mention it, for I am afraid it would not have had any desired effect. But I humbly conceive that if her Majesty would before the meeting of our Parliament give orders that an account might be laid before her of what money hath been expended upon the business of Darien, she, out of a compassion and concern for the good of her subjects, being resolved to take effectual methods for making up their losses, this would more successfully calm the spirits of many here and answer all ends than any other way does occur to me; for otherwise it will be looked upon as a bargaining for the succession; and what matter that will furnish for the reflections of Jacobites is too evident. But this is an affair too high for me to meddle in, and I hope you will pardon my impudence in offering any opinion about it."

I wish to recommend Mr. Pringle for employment as an envoy or otherwise.

Richard Crawley to Richard Warre.

1704, September 20. Doctors' Commons.—In order to answer the memorial from the Danish envoy which you sent me, I must

desire you to lay before Mr. Secretary the following state of the cases.

1. The *Meurmeester* or *Mason*, Rasmus Berenson, master, from St. Martin's, pretending to go to Friedrichshall, with a lading of salt, brandy and stomon, was taken by Captain Thorpe, commander of the privateer *Hogback*, and carried into Dover. The ship and lading are claimed by one Juell of Friedrichshall. The ship sailed from that place with a lading of deals, under orders to go direct to Bordeaux, there to deliver the deals and receive a homeward lading. Instead of this, the master delivered the deals at Dunkirk, went thence in ballast to St. Martin's and received on board the present lading, which he paid for by bills on a Dutchman in Holland and a merchant in Copenhagen. The matter here appears to be solicited by a French merchant, who received an invoice and bill of lading about the time the ship was brought up. As to the allegation of the master's imprisonment and being refused a seal upon the warehouse, there has been no complaint of anything of the kind before the court, and I believe the envoy has been misinformed, unless he pleases to call imprisonment the keeping the master and his men as under till they have been examined, which is the constant practice.

2. The *Trevuldigheit* or *Trinity*, Niels Hansen Regelson, master, from Bordeaux with a lading of wine, brandy, molasses and prunes, pretending to go to Flensburg, was taken by Captain Turner of the privateer *Diligence* and brought into Plymouth. The ship and lading are but very lately claimed by Danish subjects, and the papers, of which there are sixty-six in Danish, Dutch and other foreign languages, are being translated; so that I cannot yet give a particular account of the case; but I must observe that after the master had sworn that he knew of no papers on board except those produced, and that none had been destroyed in any way, others were found hidden away in his cabin. These also are in Danish and are being translated. No complaints of embezzlement have been made to the court, and on their examination the master and two of his men declared that they neither knew nor had heard of any. Mr. Secretary will hereby see what reason there has been to trouble her Majesty or himself with the complaints in the memorial. *Signed.*

Endorsed by Warre:—"Sent a copy to Monsieur Rosencrantz, September 22, 1704."

Hugh Speke's Case.

1704, September 22. (*Received.*)—Setting forth the public sufferings and hardships of Hugh Speke, George, his father, and Charles, his younger brother.

That Hugh Speke "was tried before the Lord Chief Justice Jefferies on a letter seized that was written to Sir Robert Atkins, late Lord Chief Baron, touching the death of the late Earl of Essex, and was fined in 1000*l.* and kept a prisoner above four years."

That Charles Speke was "Philizar for the counties of Devon, Dorset, Somerset, and Bristol and Poole, which is an office in the law for term of life"; and immediately after he was seized on pretence of assisting the Duke of Monmouth. The said Jefferies begged the office of James II, and "to clear Charles out of the way, under colour of the business of the West, there tried, condemned and had him executed." Thus the office, which cost near 3000*l.*, became forfeit. At the beginning of King William's reign the attainder was reversed but no restitution ever made.

That George Speke, the father of Hugh, was tried at Wells in 1686, before Baron Jenner, on pretence of rescuing his son-in-law from a messenger that came at midnight to arrest him on a Secretary of State's warrant (proved afterwards to be based on false information); and was fined 2000 marks.

That these two fines amounted in all to 2327*l.* 6*s.* 8*d.*; yet Hugh Speke was compelled to deposit in the Exchequer the sum of 5000*l*; which sum was appropriated by James II to be laid out on the fortifications of Portsmouth, and no part of it ever returned to him. This loss and that of his practice as a barrister from his long imprisonment has caused him much suffering.

Annexed is a copy of Lord Treasurer Godolphin's report on the case, which he had referred to William Borrett, Solicitor to the Treasury, who was of opinion that the matters of fact stated by the petitioner were true, the sum of 2672*l.* 13*s.* 4*d.* more than the fines amounted to having been paid by him; that he had been a great sufferer; and that he was become a real object of compassion. *Dated* 26th May, 1703.

A note is added that this report was laid before the Queen at Windsor, on 6th June, 1703, "on which her Majesty was most graciously pleased to say she would speak to my Lord Treasurer."

Richard Warre to [James] Stanhope.

1704, September 29. Whitehall.—"Mr. Secretary Hedges, in the absence of Mr. Harley, . . . commanded me to acquaint you that the Queen, understanding there is a treaty on foot, if not concluded, between the Pope and the French King for a neutrality in Italy, into which the State of Venice as well as other princes of Italy are to be invited, has sent to Mr. Hill credentials to the State of Venice with directions to repair to that city, if the posture of affairs in Savoy will allow it, and endeavour to prevent their entering into that treaty; and further, if possible to engage them to come into the Grand Alliance. . . . Her Majesty would have you communicate this to the Pensioner and desire the concurrence of the States General for this purpose, either by instructions to their Minister at Venice, or if they have none there by empowering some other person to join with Mr. Hill in such measures as may be most proper to hinder that State from entering into that treaty and best dispose them to engage in the Grand Alliance. Mr. Hill has likewise full powers to treat with Venice." *Copy.*

The Case of Sir William Hodges, Bart.

[1704, about September.]—He resided at Cadiz for thirty years and upwards till November, 1701, and during that time traded there as a merchant of great credit and repute, and was always ready to serve and assist in anything that might tend to the service of his prince or country. Whilst in Spain he imported great quantities of goods, the growth and manufacture of England, and exported great quantities of gold, silver, cochineal, indigo, oils and other commodities of value, to the great advantage of this kingdom. He traded to a large amount, in English goods, to the Spanish West Indies, in Spanish bottoms and under colour of Spanish names, none but Spaniards being permitted to trade publicly or openly.

"In the year 1699, on account of himself and company (all subjects of the Crown of England or her allies) he sent out in the *Flota* or new Spanish fleet designed for the Spanish West Indies, goods and merchandize to the value of 24750*l.*, to be bartered there for other goods, the growth or product of those parts, which were to come to Spain in four ships, *Jesus Maria Joseph*, *Santisima Trinidad*, *Santo Cristo de Maracaibo* and *Santa Cruz*. This was done: one fourth part of the goods was put on board each of these ships, which arrived safe at Vigo in Gallicia. At Vigo, in October, 1702, these ships were met by the English and Dutch fleet, which sunk and burned the *Jesus Maria Joseph* and *Santisima Trinidad*, and seized the other two, of which the *Santo Cristo de Maracaibo* was sunk in her passage for England, but the *Santa Cruz* was brought safe into the Thames, was there unladen, condemned and sold as prize to her Majesty. Sir William Hodges appeals from this condemnation of the goods laden for his account on board the *Santa Cruz* and the case is now pending.

By reason of the war it has been impossible to have a commission executed in Spain to make particular proof of the claim; besides the danger of discovery of the Spaniards under whose name the trade was carried on, which, by the laws of Spain, involves perpetual imprisonment and confiscation of their estates. It is therefore not possible to make so clear a proof of English property in this way of trade as in any other; but Sir William Hodges and company have made such proof as the nature of the case admits, and sufficient, as he conceives, to obtain the restitution of that one-fourth of their goods which was laden on board the *Santa Cruz*.

Shortly after his arrival in England, and before the declaration of war, Sir William Hodges produced an account of the goods which were by his order on board the *Flota*, and under what particular Spaniards' names they were coloured, and exhibited the same in the High Court of Admiralty, on or about May 7th, 1702, making oath of the truth thereof. He also exhibited his original books, journal, ledger, warehouse and consignation books, which were proved to be authentic by credible witnesses. The accounts, in detail, show the value of the goods laden on board the *Santa Cruz* to be 6356*l.* 4*s.* 2*d.* In addition to which, by

the firing and destroying the other three ships, Sir William Hodges and Co. have suffered loss and damage to the amount of 24000*l.* or thereabouts.

There are several Dutch merchants who had traded in like manner to the West Indies, whose effects were also taken at Vigo; and these, on their humble petition to the States General, were ordered to be restored to them without any judicial proceedings or formality of law.

When Sir William Hodges left Cadiz (for fear of his son's being taken from him and kept there as a Spanish subject), his House was concerned in the *Flota* and also in the Buenos Ayres ships and other ways with the Spaniards, to the value of 75000*l.* sterling or thereabouts, most of which is lost, and the rest much exposed by reason of the present war.

"There are three sorts or ways of trade used by our merchants to the Spanish West Indies. One is to send goods coloured in Spaniards' names and to receive the returns of such goods from the Spaniards who are entrusted. Another way is to sell goods to Spaniards and to be paid the price agreed for upon the return of the galleons, the hazard and risk of the said goods being run by the merchants who sell the same. This also is coloured in Spaniards' names. The other way is to lend money to the Spaniards upon bond, to be paid with a *præmio* upon return of the galleons; the merchant who lends the same is to lose his money if the galleon (on which the same is agreed to be returned) is lost. This also is coloured in Spaniards' names, it being against the law and statutes of Spain for any person that is not a subject of the Crown of Castile to run any hazard on any Spanish ship to or from the Spanish West Indies."

John Bell to [Robert Harley.]

1704, October 3. Newcastle.—"I was favoured with yours of the 9th, and have ever since used all manner of diligence in attending and private enquiry for any strangers or suspect persons that have come to this place. . . . We had secured the ports of Shields and Sunderland, and can find no account from any of these places from my trusty friends that any such persons have offered to go beyond seas, there being a continual watch upon all foreign ships. . . . There has been a very great fleet in here, which are all, or most, sailed last week, and having no account of any such persons I am apt to believe they do not design to go from any of these ports for over sea."

George Tollet to Robert Harley.

1704, October 5. Navy Office.—I enclose a copy of a letter to myself and an extract from one to the Board.

Sir Cloudesley Shovell is just come to his house in the Navy Office.

Enclosing extract of a letter from Captain Clempson Cave, of her Majesty's brigantine *Dispatch*, dated at Dover, October 3rd, 1704.

I had yesterday a report from the master of the ship *Christians-Haven*, who came from St. Martin on the 17th ultimo. He was there shewn, by his merchant, Percival Chilbourn, a printed list of 180 officers and 4,500 seamen and soldiers slain in the late engagement, and that they had four ships and two galleys sunk. He wished to bring away the said list but could not prevail with his merchant to spare it. "I questioned him whether this number did not include both killed and wounded, but he positively affirmed the contrary. He declares the people to be in a very miserable condition, groaning under their heavy burdens laid upon them by taxes and want of trade."

Enclosing also—

ANTHONY TOLAT to ————

1704, October 1. *Kingfisher.*—I have arrived with a convoy of seven East Indiamen. Yesterday morning, off the Lizard, I met Sir Stafford Fairborne, who desired his service to you. He hoped, in a small time, to have the honour of seeing you in London. Being extremely hazy weather we mistook Scilly for Guernsey and so went up St. George's Channel, where, making the Island of Lundy, we found the mistake, and with a fair wind came out. Sir Stafford "acquainted me of two French squadrons of men-of-war that were cruising off Scilly, which has proved very fortunate to us and very much for the nation's interest."

H. PUGHE to ROBERT HARLEY.

1704, October 7. Hereford Gaol.—"My wife informed me that her daughter, Sarah Prosser, a servant in London, told her of some malevolent persons that designed mischief against her Majesty, and I spoke and wrote very much about it, though I suffered to all extremity in her Majesty's behalf"; my letters being intercepted in the post. Thomas Prosser, my wife's son, now incumbent of Dorston, abused her very much for acquainting me, "which provoked me to say I would venture my life upon him or have him out of his vicarage for so doing; and I can prove him guilty of simony, perjury, adultery and fornication, counterfeiting halfpence and farthings, attempting to murder ten persons (some whereof lay dead five hours) and other gross crimes. . . . However, he swore the peace against me and I was committed by my implacable enemy, Mr. Marshall Bridges, the 3rd day of April last, by mere surprise, and am hereto detained upon pretence of the forfeiture of a recognizance for mere appearance." I wrote to you by Elizabeth Prees and enclosed Mr. Dobyn's letters, but have no answer. I suppose she knows somewhat, but her father is sent away lest he should make a discovery. I sent for my wife twice or thrice but she does not come. "I did accidently overhear in this gaol of an inten-

tion to present the Court with cyder and Welsh ale so strongly poisoned that no physic should carry it off, and of a clergyman to be attended with some villains that should carry a small sharp weapon in his gown-sleeve poisoned, at the point to stab the Queen with. If I name the party I shall be murdered." There is an adjournment of quarter-sessions on the 17th inst., and you would do well to order matters for the poor debtors. Mr. Dobyns does his uttermost but is overpowered by Sir John Hoskins and the under sheriff. I fear that some are discontented with her Majesty's good will toward the Church of England, and have a dangerous correspondence; some are overwhelmed with oppression from lawyers, excisemen and taxes; but some most desperate and furious. "As I am loath to raise a hurricane, so am I loather to conceal what I heard." I pray you have me removed to London and then judge of the cause of my confinement.

Enclosure from R. Dobyns asking for particulars of the treason, which he will notify to one of the Secretaries of State.

William Dell to Robert Harley.

1704, October 18.—"I have accidentally had the opportunity to see that those who write the votes of parliament are a sort of sorry, idle, and dissolute wretches, the greatest part of them Papists and enemies to the Government, and those they employ most commonly Irishmen, a people supported and encouraged to this business" to misrepresent the debates and resolves of the Houses on purpose to keep up and foment the malevolence of their party. Not one of these writers desisted the last session of Parliament for the order the Commons made that none should presume to write any of their votes or proceedings; and I am well assured that now again, as has been usual, they have engaged the coffee-men and their other customers for this ensuing session, notwithstanding the said order.

"It is certain there is an universal desire both in city and country to know the Commons' debates as soon as 'tis possible; and that therefore there always has been and always will be those that by some means or other (whatever restraints and danger there may be in it) will be handing them or something in their stead about to those that will pay them. As, therefore, on one hand it seems reasonable for the satisfaction of the public that the votes should be writ, so on the other one would think it should be for the honour of the Government that they should be genuine and true, and that the parliament should prevent their proceedings being misrepresented, which the printed votes cannot come out soon enough to do. The impatience of this town will not let them stay till next morning; and in the country no letter is acceptable without the soonest account. Besides, to be without the votes would ruin the whole news trade, which at this time is no small thing. And indeed what is done in the House on Saturday cannot reach some part of the Kingdom in the print till the Saturday sennight, whereas what is writ by the post will be with them by that time the other is put into the office.

" That these written votes may be no way inconvenient, it is humbly presumed to be only proper for you to appoint the writing of them as well as the printing . . . which if you shall please to do and to accept me for the writer, I will, every morning the House shall sit, present you with half as much as the printer does (the two first days excepted, which can be but preparatorily employed). If you should object, it may hinder the prints, it is answered, these are to be but short abstracts or prints only of what relates to the public; besides which enough will be reserved to give preference to the prints." But if the printer should very much insist upon it, I will then take upon me the printing too, on the same terms as it is now at, besides half so much more for the privilege of writing."

HENRY SPEAKE to ROBERT HARLEY.

1704, October 20.—Praying him to deliver the enclosed petition to any of the Commissioners of Excise who are of his acquaintance.

Enclosed is petition referred to, shewing that he has been discharged from his office under the Excise in the " outride of Llanvilling," in Montgomeryshire, false informations against him having been laid before their Honours by the supervisor of that district. Prays to be restored to similar employment " in some English division."

Also a similar but shorter petition to the same Commissioners.

JOHN EDWINS to ROBERT HARLEY.

1704, October 23. Leominster.—Praying for his assistance to procure employment for the bearer, his brother, on a man-of-war.

SIR EDMUND ANDROS to [ROBERT HARLEY.]

1704, October 26. Guernsey.—As desired, he has assisted the owner of the Schleswic ship *Lucia*. Sends intelligence of the sailing of privateers and cartels. *Signed.*

ENLISTMENT OF INSOLVENT DEBTORS.

[1704, March-October.]—Information as to the methods taken by officers to prevent the levy of recruits designed by the Act of Parliament for releasing insolvent debtors.

" The officer gets acquainted with the gaoler, and by that means knows who are the persons that are to take the benefit of the Act. And then the officer agrees with the prisoner that if he will list himself under his command, for so much money afterwards he will discharge and give him a certificate that will be as good as if the prisoner had found a man.

" If the prisoner be cautious and will not list himself, then the officer agrees for 5*l.* or thereabouts to find him a man (which is one of his own soldiers) who by false names and change of apparel (the court being in a hurry) lists himself in one day for four men.

Whereby of above 1200 men that have been discharged within the bills of mortality by virtue of the Act, the Queen has not above 200 mustered." Informant offers to procure a list of the discharged prisoners, which can be compared with the muster rolls. [*Note, in another hand,* " Captain Mugg in Colonel Roke's regiment," *which places the date between* March and October, 1704.]

Hugh Speke to Robert Harley.

1704, November 2.—Finds by Mr. Lowndes, whom he saw at Brown's coffee house, that Harley has not yet spoken to him as promised on Sunday last. Begs Harley to be mindful of him in speaking to the Lord Treasurer and Mr. Lowndes. Mr. Secretary Hedges has faithfully promised to second the efforts on his behalf.

Lady Van der Laen to Queen Anne.

1704, November 15. [? N.S.]—A noble lady of Zeeland—married to a nobleman of Holland named Van der Laen, who in his life-time served as a captain—now a widow, humbly falls at her Majesty's feet, praying her to take to heart the complaint of an upright god-fearing widow, and help her against the godless Jacob Van der Es, who is worse than the heathen king (*sic*) that, once upon a time, sitting upon his judgment seat, said " I fear neither God nor the whole world, yet will I do right to this poor woman, that she may cease to trouble me with her just demands."

But though this good lady, suffering the pangs of hunger and putting aside with shame her honour and noble reputation, has oftentimes complained to the god-forgetting Van der Es of her needs, it has helped nothing, for, unlike the heathen king, it has not moved this hard dog, Van der Es.

When in the field, many soldiers were hung up to a tree because they sought a little food when suffering from hunger, against the word of command of the troops; but far more reason was there to hang Van der Es to a tree, who has so little respected her Majesty's commands and the Acts of her Majesty and her Parliament (hereunto annexed), citing him to bring his accounts and quittances honestly and truly before the Parliament, and to show what he has done with the money drawn out of England. But as it appears that he dares not show himself in England to settle his accounts pursuant to these Acts of Parliament, this poor widow prays her Majesty, for God's sake, no more to refer her to this godless Van der Es, who says only, like the thieves " I have no money " until they are tortured. And he sees all the misery and poverty of the poor officers' widows and children, and lets our goods be sold by execution because of his non-payment, as has happened to this wretched lady, widow of Captain Van der Laen, whose property of 22000 Carolus gulden, consisting of landed estate in Holland, lying in the town of Leyden, has been sold for 3000 gulden, and bought by a Catholic burgher, driving away a noble reformed lady, who now, without

money or her good lands, may sink to ruin. She has hazarded her estate and a beloved husband thus in the war, and lent over 3000 gulden to her sister's husband, Captain Daniel Sniemulder, who had served his Majesty in England, in the Brandenburg regiment. The accounts (hereunto annexed) still due to him at his death, were made over in payment to his late wife's sister, this widow Van der Laen, who now prays her Majesty for payment thereof, viz., 2938 gulden, 7 stuvyer, 8 placken; and if her Majesty once more refers this poor widow to the hard dog Van der Es, yet will he never come, for he remains like a dog in his den and does not appear before the parliament.

This poor widow and wife of Captain Van der Laen herewith prays that her Majesty and the parliament will be pleased graciously to give orders to her ambassador at the Hague that the annexed accounts of Captain D. Sniemulder may be paid to her, who, having disbursed the money for the company going to or being in England, has been rewarded in such manner that she must perish of hunger if her Majesty do not shortly deliver her from its pangs by the payment of the said money. *Dutch.*

Underwritten [*? by the lady herself.*]

Fraensoese Van Waessenhoeve, widow of the late Captain Van der Laen. His Excellency the Pensionary "Hensyes" knows me and my necessities well.

May her Majesty by the grace and holy spirit of God out of high Heaven be strengthened to obtain, by God's blessing, a pearl in her crown and long life, by means of this good faithful widow's prayers, in hopes of the favourable support of her Majesty's gracious kindness to this oppressed widow, who may die of hunger if this address does not reach the Pensionary of Holland, "Hensyes," at the Hague, by means of her Majesty's ambassador. *Dutch.*

Annexed:

1. Extract from an Act of the Parliament which sat from 30th December, 1701, to 8th March, "in the first year of Queen Anne's reign" [*i.e. until her accession*], by which it was decreed that the Public Accounts of the kingdom should be examined and wound up. Including the oath taken by the Commissioners.

2. Extract from the list of various Acts passed in the session of parliament held in the 1st year of the reign of Queen Anne, concerning the passing of his accounts by Jacob Van der Es, paymaster of the Dutch militia on the English Establishment. See *Commons' Journals*, under date January 16, 1701-2.

3. *Copy of promisary note:*

I, the undersigned, hereby promise the Lady Francoisa Van Wassenhove, widow of Van der Laan, to pay her each month sixteen gulden of money of Holland, towards the discharging of a bond under my hand, held by her ladyship; the payment to begin in the month of May of this present year, 1695, and to continue until the whole bond, together with interest, is satisfied. The Hague, April 7th, 1695. D. Snemüller.

Below is written—

The money to be paid at Antwerp to Mynheer Gasper Van Opperoelt, merchant, "in Zyde Lakenen."

With note in another hand, that owing to the war the money has not come.

4. *Capt. Snemuller's accounts.*

Captain Daniel Snemüller served in his lifetime, with his company, in the Brandenbourg regiment, for the King and Parliament of England, in the troubled times against the King of France; whereby he hazarded his life and health and wasted his estate, and there is yet due to him from the parliament:—

For the year 1695, 120 days, and for his equipage and pack-horse, at 56 stuyvers per day	fl.	336	0	0
For the year 1696, 220 days ,, ,, ...	,,	616	0	0
For the year 1697, 220 days ,, ,, ...	,,	616	0	0
Remaining of the charge for the pack-horse...	,,	66	10	0
Interest for the disbursements made for my company in the service of the King of England	,,	700	0	0
According to the accounts of the quarter-master of the regiment for forage money	,,	50	0	0
For the Irish recruit	,,	340	10	0
Remainder for the Prussian recruit	,,	72	16	0
The charges	,,	39	18	8
The interest on money borrowed	,,	100	10	0
Total florins ...		2,938	4	8

By order; Captain Daniel Snemolder.

5. *Extract—translated.*

The humble address of the House of Commons to the Queen, with her Majesty's gracious answer.

Gracious Sovereign,—

Jacob Van der Essche, esquire, paymaster of your Majesty's Dutch troops, has received 3,025,753*l.* 9*s.* 6*d.*—which in our money is 52,907*l.* 6*s.* 8½*d.*—more than the pay of the said troops would amount to in case they had always been complete, according to the English Establishment, which they were not. Nevertheless, the aforesaid Van der Essche has passed no accounts, and although many times summoned, has never appeared before the Commissioners for Public Accounts, and there yet remains due to the said troops 112,229*l* 9*s.* 8*d.*, which is now demanded as a lawful payment due to them from her Majesty.

With note that underwritten is an extract from an order of the House of Commons that this address be printed by Edward Jones and Timothy Goodwin, and that none others shall dare to print it. *Signed*, R. Harley, Speaker.

London.—Printed for Edward Jones in the Savoy, and Timothy Goodwin in Queen's Court, opposite St. Dunstan's Church in Fleet Street, 1702.

Translated at Rotterdam, June 4th, 1703. *Signed*, Gommer Van Bortel Klaas, public notary, and certified to be an authentic copy, collated with the translation, June 5th, 1703.

6. *On the covering sheet—*

If the enclosed request and petition should come before her Majesty the aforesaid widow prays her Majesty to ask the Earl of Portland whether he did not know (during his lifetime) Captain Jan Daniel Sniemulder, of the Regiment of the Margrave of Brandenbourg; and that the said captain did his late blessed Majesty great service before the town of Namen [Namur ?] in which he repeatedly hazarded his life, and has therefore well deserved these payments, wherefore the said widow fully trusts to the favour and grace of her Majesty. Praying that she may have a long and happy reign, etc., she remains her Majesty's affectionate servant, the Lady Van der Laen (born Fransosa Van Wassenhoven.)

Addressed to her Majesty the Queen Anna, of England, Scotland, Ireland, France, etc., at the Court at Whitehall, in England, or wherever her Majesty may be—in all good hopes. *All the above papers are in Dutch.*

William Jones to Robert Harley.

1704, November 9. Navy Office.—Desiring his assistance to procure employment as clerk of the survey at Lisbon. Is well recommended by the Commissioners of the Navy, whom he has served for twelve years.

Charles Bertie to Robert Harley.

1704, November 10. Huntingdon.—"This is the first time I am like to prove a defaulter, and much against my will; but a very severe fit of the gout has lately seized me, which is, I think, as hereditary to our family as the Staff." However, I am got as far as this place, and hope on Tuesday next to pay my duty and attendance in the House, and in the meantime beg you would make my excuses in case it be called sooner.

———— to [Robert Harley ?]

1704, November 13.—"Mr. Barker, the Queen's Remembrancer . . . is in great perplexity what report to make, finding that no process has issued against the late Commissioners of Prizes. . . . On the 27th of March, 1704, the House vote that an address be presented to her Majesty for a prosecution against Mr. Parkhurst and Paschal, etc.; since which time they have exhibited an account of the arrears of prizes, being money received by them, which is now ready to be declared; so that it may be fairly alleged that till they had accounted for what they had actually received, it would be to little effect to issue process to oblige them to make up their general account. If you think it fit, be pleased to speak to the Chancellor of the Exchequer and Mr. Lowndes, that there may be no slur upon the Treasury, and that Barker may make a proper report . . . If those of the Court that spoke against bringing in the bill last time should decline it now it would much animate the promoters of it."

MARTIN LAYCOCK to [ROBERT HARLEY].

1704, November 16.—Proposes that a pardon should be given to the pirates and buccaneers, and that they should be established at Darien. They are said to be worth ten millions of pounds, and are willing to give half of this for the pardon and settlement. He himself served with the late King in Ireland, and received many great wounds; and in curing these and in raising men for the King's service spent eighteen hundred pounds of his own money. "Can shew a method of discipline which has not yet been in use that would be more destructive to the enemy than can be imagined till seen."

C. LEYONCRONA to ROBERT HARLEY.

1704, November 22.—He complains that Swedish subjects have sustained great losses by their ships and goods being brought up, detained and sometimes confiscated; and in this number are now the owners of the ship *Justitia*, whose cargo has been condemned in the Admiralty Court, notwithstanding the owners' declaration on oath that the goods belonged entirely and solely to them—Swedish subjects. He desires that the goods may be restored and the claimers saved harmless from all expenses, costs, charges and damages. *Signed. Endorsed as received* "same date."
Also other letters to the same effect, *dated* November 27th and December 12th, making the same request "pursuant to express and reiterated orders."

SIR THOMAS WILLIS.

1704, November 22.—Approbation by the Queen of Sir Thomas Willis, bart., to be deputy lieutenant for the county of Cambridge, and order to the Duke of Bedford, Lord Lieutenant of the county, to issue out his deputation. Given at St. James'.

HENRY FAIRFAX, Brother of Thomas, Lord Fairfax of Denton.—Memorial to the Duke of Marlborough.

[1704, November ?]—Setting forth his services to the Government; the offices he has held in the city and county of York; and his connexion with the best families of that and the adjacent counties; all of which would qualify him to raise a regiment for the Queen's service at very short notice, if a commission were granted to him to raise and command such a regiment. *Signed.*

SIR DAVID MITCHELL.

1704, December 1.—"The answer of the States General to the project given in by Sir David Mitchell about the number of ships of war which are to be joined by both sides, to act the next campaign," with the Queen's remarks and comments. *Copy.*

HENRY FAIRFAX to [ROBERT HARLEY ?]

1704, December 4.—Requesting him, when he makes his report, to signify to the Queen that he will readily submit to her choice of field-officers and others to serve under him; and that the gentlemen who have offered to raise companies "are as willing to serve, wherever commanded, as under the Marquis de Miremont."

RICE WILLIAMS.—Petition to the Lord High Treasurer.

1704, December 5.—His petition to the Queen of last July was transmitted to his Lordship that he might be provided for in the stamp office, and the first vacancy was promised to him by letter to the Commissioners of stamp duty. After diligent attendance since that time, he was this day utterly repulsed; his Lordship having (as they informed him) verbally recommended another. He prays therefore that being first recommended and capable of no other employment by the loss of a limb in the service, an order may be exhibited for the present vacancy on his behalf.

———— to RICHARD CRAWLEY.

1704, December 13.—The bearer, William Fowler, can produce some credible persons (he says) who can make out a very wicked practice of suborning witnesses in a cause depending in the Court of Admiralty. One of the witnesses is going out of the kingdom and I do not know what is proper to be done, so I send Mr. Fowler to you, that you may put the matter into the proper way of discovery. *Copy.*

SIR JOHN COOKE to ROBERT HARLEY.

1704, December 16. Doctors' Commons.—Reports on the petition of the owners of the ship *Christina*. She brought a cargo of iron from Stockholm to London; went on to France in ballast; and coming back from Rochelle with a cargo, put into Portland to refit and was there seized by Captain Lawrence of H. M. ship *Penzance*. The proofs that the ship and cargo are Swedish property and were on their way to Gothenburg are consistent and satisfactory, and the petition should be granted if her Majesty pleases. The rule of law is *Semper praesumitur pro sententia.*

HENRY CASPERS.

1704, December 19. Dartmouth.—Examination of Henry Caspers, master of the ship *Satisfaction*, seized at Dartmouth on December 18. He is a native of Harling[en] in Friesland, but has been an inhabitant of Copenhagen for the last three and a half years. The ship was built at Harling about 16 years ago, and whilst in Holland was called the *Buttonmaker*. She is now called the *Satisfaction*. He does not know when the name was changed. This is the fourth voyage he has made with her to France during

the present war. Her owner is William Eding, a merchant in Copenhagen, a Danish subject; the cargo also, to the best of his knowledge and belief, belongs to Eding. He put into Dartmouth by reason of contrary winds. He has no knowledge of any embezzlements made at the time of her seizure.

Also examinations of John Witt and Lawrence Johnson, seamen of the *Satisfaction*, to the same effect.

H. Burnaby to Robert Harley.

1704, December 29.—Prize Office.—Mr. Newman, the agent for prizes at Dartmouth, has been ordered to send an account of the particulars relating to the Danish ship *Genugsamkeit* [*i.e. Satisfaction*], about which the Danish envoy has preferred a complaint.

Ferdinando Burleigh.—Petition to the House of Commons.

[1701-1704 ?]—His steady adherence to the Protestant religion has caused him to be greatly persecuted by the enemies of that religion. He has been bred a clerk in the King's Bench office, and prays to be made clerk to the Court of Conscience for the city and liberty of Westminster. *Signed.*

French Prisoners of War.

[1704.*]—"A list of prisoners at war taken in the *Seine* prize, and now under the care of the agent at Rochester"; including M. de Tilly, first lieutenant, and three other officers; Le père Apollinaire, the chaplain; Jean de la Croix de St. Valier, bishop of Quebec; two "priests of quality"; thirteen missionaries and a Dominican; Mr. [Paul] Breton [or Berthon], merchant, and nine other male passengers and six ladies; and four servants to the bishop and four other servants.

House of Commons.

[1704.]—"An account of the naturalizations, *anno* 1703-4."

Giving the names of 138 persons and the fees paid by them; with calculations in another hand.

Endorsed, "Mr. Speaker's accounts."

Sir Matthew Dudley's Case.

[1704 ?]—In 1688 he, together with many considerable merchants of London, being satisfied that naval stores of all sorts might be provided with great advantage to the kingdom from our northern plantations in America, subscribed 100,000*l.* for that purpose, and petitioned King James to be incorporated, the better to carry on their undertaking. The petition was

* The *Seine* was captured in July, 1704.

favourably received, and when all objections had been answered, the Attorney General was ordered to draw up a charter of incorporation. This was done, but it was prevented passing by the late happy Revolution.

1691, March.—Sir Matthew Dudley and his partners renewed their petition, and after the usual references and reports a charter of incorporation was ordered.

1692.—Sir Joseph Hern and others petitioned against this; but after the report of the Chief Justice and Attorney General a charter of incorporation was again ordered.

1693, May.—The charter was opposed by some persons who pretended that it interfered with the charters of the plantations. The Attorney General reported on this that it was not prejudicial to any of those charters, or to any private person.

1693-4, January.—Sir Henry Ashurst and Sir Stephen Evans, in opposition to this undertaking, made a proposal to supply the same stores from these countries, without a charter, which put a stop to Dudley's undertaking. But in eighteen months Ashurst and Evans brought to London only one small ship half laden with naval stores, and have attempted nothing since.

On Dudley's moving again in this matter it was objected that the country was not capable of producing naval stores, or at any rate in sufficient quantities to supply the navy. On which Mr. Bridger and another gentleman were sent out to see and report. On their return they brought specimens of pitch, tar, hemp, etc.

1702, June.—On trial at Woolwich, these were found to be very good and fit for service; and Mr. Bridger reported (the other gentleman being dead) that the country was capable of producing excellent naval stores of all sorts, sufficient for all Europe.

1702, August.—Hereupon Dudley renewed his petition, which was referred to the Lord High Admiral and the Commissioners of Trade and Plantation. His Royal Highness reported that the undertaking might be of great advantage to the nation. The Commissioners reported that it could be best carried on by a joint stock, and ordered a draft of incorporation; but clogged it with divers unusual clauses, absolutely obstructive to all manner of trade. And though they withdrew all these except one, requiring that no person should dispose of his interest therein within five years, Dudley and his partners, knowing that no one would so tie himself up, have desisted.

1704.—The Queen and Parliament did, by an Act, give very good encouragement to all persons to bring naval stores from the American Plantations, but no one has undertaken it, nor indeed can it be effected by private persons.

Accompanied by—"Some of the advantages that may accrue to England by fetching our naval stores from our American Plantations rather than from those counties from whence we now have them."

Capt. George Davie's Case.

[1704 ?]—Gave notice to Sir Charles Hedges of illegal trade between La Rochelle and Youghal, but received no encourage-

ment for the services specified. Must inevitably perish if not relieved.

[JEAN] FICHER to————————

1705, January 5.—Thanks his correspondent for two letters delivered by Mr. Sk———. Is awaiting the reply of a friend as to the matter in hand. Will see that what is due to his correspondent shall be paid in London. Prays to be informed every week how his cause is proceeding. Has sent 26*l.* to Mr. A———, and alludes to a cypher message, "to inform about the Navy." *French. Copy.* [Cf. Report on Harley Papers ii., 152.]

The COMMISSIONERS FOR PRIZES to ROBERT HARLEY.

1704-5, January 8. Prize Office.—Mr. Newman acquaints us that the *Genugsamkeit* was seized by virtue of a writ out of the Admiralty Court, sent him by the Lord High Admiral's Proctor. The seizure is purely on behalf of the Lord High Admiral and this Office is no way concerned therein. *Signed*, R. Yard, Ant. Duncombe, Geo. Morley.

DR. GEORGE BRAMSTON to [ROBERT HARLEY ?]

1704-5, January 13. Doctors' Commons.—In accordance with your letter of July 6 last, I have considered the papers and proofs relating to the ship *Neptune*, which I find belongs to subjects of the Queen, inhabitants of Jamaica, and that these were the sole and true freighters as well as owners at the time of her seizure. I find that while sailing to the English factory of Anamabo, neither going nor intending to go to any Dutch factory, she was seized by Captain Frederick of the *Postilion*, a ship belonging to the Dutch West Indian Company, carried to the "Castle Delmine" and there condemned. It is true that she took in her cargo at Amsterdam and was going with it to the coast of Guinea; but this does not make her liable to confiscation; and I am of opinion that the seizure and confiscation of this ship and lading, when on her way to an English factory, is contrary to the law of nations, and that the petitioners ought to have satisfaction for their ship and lading and all damages which have occurred to them. *Signed.*

WILLIAM BORRETT to [ROBERT HARLEY].

1704[-5], January 16. Inner Temple.—Asking what proof he has against Frances Richardson, who was bound over to appear at the next sessions; without which the Attorney General cannot proceed in the prosecution.

PETER HUME to RICHARD WARRE.

1704-5, January 17. (*Received.*)—Desiring him to pray Mr. Harley to move the Queen for an allowance of 150*l.* a year, for three years, for the maintenance of Mr. Akerhielm, a Swede of

good family, at Oxford University, as also for an allowance to Mr. Jackson, agent at Stockholm since Dr Robinson's departure. "There is an article in Dr. Robinson's bills of extraordinaries for 20*l*., usually allowed every half-year for a chaplain to serve the English and French congregations at Stockholm. This duty has been and still is performed by Mr. de Bourdieu, a *refugié*, who speaks very good English and preaches in both languages." It was allowed all the last reign, and for some time in her present Majesty's, till excepted to by Mr. Secretary Hedges. The first bill so charged is dated February 3rd, 1698 [-9], to August 3rd, 1699.

MEMORIAL OF LIEUTENANT STEPHEN GILLMAN, of Brigadier Hamilton's Regiment.

1704-5, January 18. (*Received.*)—Was this day found guilty of manslaughter and prays an order to respite his being burnt in the hand, until her Majesty's further pleasure.

JUSTICES OF WORCESTERSHIRE to ROBERT HARLEY.

1704-5, January 22. Broad Waters, near Kidderminster.—Being met to put in execution the Act of Parliament for raising recruits, they complain that they have no officer, appointed by the Duke of Marlborough, attending on them to "entertain" such pressed men as the constables bring in; and the officers present refuse to take several able bodied persons "alleging them to be undersized—not five foot and eight inches high; whereby the country hath great trouble in bringing such persons in to no purpose: though they are in our opinions very fit to serve as marines or other soldiers." Requesting his directions.

Signed, Thomas Cookes Winford, Henry Townshend, John Soley, William Vernon.

JOHN JONES AND COMPANY.—Petition to the House of Commons.

1704-5, January 27. London.—The great usefulness and benefit of potashes to be made in the Queen's dominions in North America and imported into this country has lately been laid before the Commissioners for Trade and Plantations. Divers quantities of this commodity have been made by the petitioners, and approved by soapmakers and dyers in London, who wish that it may be encouraged, to promote our own manufactures rather than those of strangers. The only discouragement is the duty on potashes, whether imported from the Queen's plantations or from foreign countries, which, together with high freights, render the trade of no account. Whereas, moreover, the House is now considering a bill for the importation of naval stores from the North American plantations, they pray for the insertion of a clause to encourage the import of potashes, either by advancing the duty on foreign potashes according to their value in the price currents as determined by the House, and admitting those from

the plantations to pay only *ad valorem*; or else by admitting the latter free of duty for the next seven years.

Enclosed in letter to Robert Harley—

1704[-5], February 1. London.—Praying him to present the petition, since Mr. Cox and Governour Penn, who had promised to deliver it, are unable to do so.

Samuel Newton to Robert Harley.

1704[-5], January 30.—"I perceive there is a bill going on in the House of Commons for altering the burning in the cheek for some more effectual punishment. It would be well if pillorying, hanging and whipping were the same; and with your countenance I could almost engage so to alter it that in seven years' time there shall hardly be such a thing as a common thief in England; and that those who are in the meantime convicted shall afterwards be rather a benefit than a prejudice to the Commonwealth." If you think this will be of any service to the nation I will reduce my method into writing and present it to you.

Charles Davenant.—Memorial to Lord Treasurer Godolphin.

1704[-5], January 31. Proposing (1) the establishment of better means for transmitting true information to the Queen from Scotland; and (2) the publication of a book "to show the benefits that will arise to both nations by an Union, and to remove the objections against it" existing in both countries. He also offers his services as a correspondent in Scotland, suggesting that he might receive Royal commands to enquire into details of Scotch trade and finance, and collect materials for a book on those subjects. *Copy.*

Speaker's Warrant.

1704[-5], February 2.—Remanding John Oviat of Aylesbury to the custody of the keeper of Newgate gaol during the pleasure of the House of Commons. "The like for John Paton, junior, Henry Basse and Daniel Horn." *Copy.*

Mr. Rogers.

1704-5, February 6.—Memorandum [in Harley's writing] of Rogers' proposal to seize Newfoundland. He says he is very well acquainted with the place, and has brought home three men who have a perfect knowledge of it and its fortifications. He proposes to attempt it with two hired ships and 400 men; is willing to communicate his plan to the Duke of Marlborough and to any seaman the Duke may appoint—Sir Cloudesly Shovell, Admiral Whetstone or any other. He will himself accompany the expedition, and is willing to venture 1,000*l.* on it. But it is essential that the attempt be made at once, and at latest before April is expired. Other attempts have failed

because they were made in the summer; "whereas in the spring the French are not upon their guard, the soldiers are lent out to planters and are all scattered about." The particulars will better appear from a draft he will finish to-morrow.

ROGER ADAMS to [ROBERT HARLEY] Secretary of State.

1704-5, February 9. Pembroke.—Being a Justice of the Peace for Pembrokeshire and in pursuance of the orders of the Privy Council, I issued forth a warrant for the apprehending of recruits for the services; amongst the rest one John Leach, of this town, whom I knew personally to be an idle fellow and to have no visible way of living. Upon which warrant Leach was apprehended in the county, and being in the custody of the constable he found some means of making his escape, and fled into the liberty of this town; all which matter being made known by the constable, and that he had desired several persons to assist him in retaking the fellow, who had all refused, I thought it my duty to go in person to his assistance. And being come to the house where I was informed Leach was, I found the doors shut; and knocking at the door and demanding admittance, he not only refused but swore that he would be the death of me or the first man that should enter the house (although a public alehouse).

This occasioned much noise in the town, and thereupon several other idle persons got together with an intent to rescue him, and in a threatening manner declared they would go one and all. Finding myself unable to rule them I was obliged to repair to Mr. John Rogers, deputy mayor, and made my complaint to him of the hindrance to her Majesty's service and the affront put upon me. I requested him to join with me and some other Justices in a warrant for retaking Leach and punishing the rioters; but the mayor absolutely refused to comply, and seemed very angry with me for making the complaint. His demeanour gave so great an encouragement to the rioters that Leach, having armed himself with a sword, walked publicly in the street; and, the constable going to retake him, he drew his sword and declared he would be the death of him.

I should be glad of your further direction how to behave myself under this or like occasions, being very apprehensive that this example will be followed by this unruly mob; and unless some speedy stop be put to their proceedings and a check to the deputy mayor, with an order to restore the fellow, I am certain both the endeavours of myself and other Justices in this part of the county to put the Act in due execution will be in vain: notwithstanding there are in this part of the world a great many persons fit to be sent into her Majesty's service.

WILLIAM LOWNDES to RICHARD WARRE.

1704 [-5], February 9. Treasury Chambers.—Acquainting him that the Lord Treasurer notices "by the bill of stationery wares

delivered to Mr. Secretary Harley's office for the half-year ended at Christmas last, that the charge thereof is not so much reduced as his Lordship expected."

E[DMUND] DUMMER to [ROBERT HARLEY].

1704-5, February 10. London.—Giving news of the mail from the West Indies, and enclosing an advertisement announcing the extension of the postal service to the Colonies on the Continent of America. *Signed.*

The printed advertisement *is of the same date.*

RECRUITS IN HEREFORDSHIRE.

1704-5, February 10.—List of recruits raised in Herefordshire in 1704-5 from January 18th to February 10th, in pursuance of the commands of the Privy Council directed to the Justices at the last quarter-sessions of the Peace; and of the officers to whom they were severally delivered.—twenty-seven recruits. *Signed*, Paul Williams, Clerk of the Peace. *Received*, Feb. 14.

WILLIAM BORRETT to RICHARD WARRE.

1704[-5], February 13. Inner Temple.—"I have prevented hitherto the bringing a *habeas corpus* for John Verdun that you might perfect your examination; and if Mr. Secretary thinks his case bailable I think it better for you to take his bail than a Judge—the penalty there being so very small. I desire a line after you have spoke with Mr. Secretary."

[EDWARD] BRERETON to [ROBERT HARLEY.]

1704-5, February 16.—Memoranda of the case of the *Anna Catherina* and the *Golden Heart*, belonging to subjects of the Duke of Holstein Sleswick, which, being laden with French wines and brandy, were seized by her Majesty's ship *Chester*, in March last, and sent into the Thames. The ships and cargo were restored in September; but as there was just cause of seizure they were ordered to pay expenses. These were paid, but in November the owners complained to the Admiralty Court that they had been wrongly charged, and that the Queen ought to have paid them. The Judge of the Admiralty Court ordered that the Principal Commissioners for prizes should repay 300*l.* to the claimers. From this order the Commissioners appeal to the Lords.

THOMAS HUNT to [ROBERT HARLEY].

1704[-5], February 16. New Court Inn, Swithin's Lane.—Making suggestions as to the bill for importing naval stores from New England: especially that the ships employed should be of great burden, for their better defence against small privateers; and that the building of such ships should be entrusted to an

English shipwright of his acquaintance in Holland, who employs sawmills, in order that he may introduce this sort of mill into New England and enjoy an exclusive privilege there. Prays that he may be empowered to carry out this design by the addition of a clause to the bill.

Recruits in Yorkshire.

1704-5, February 17. (*Received.*)—List of recruits raised in the city of York and county of the same city between April 28th, 1704, and January 10th, 1704[-5], by virtue of the Act of Parliament (2 and 3 Anne, cap. 13); giving the names of the constables who took them up and of the officers to whom they were severally delivered.—Fifteen recruits. *Signed*, Charles Redman, Mayor.

Also the return of the Justices of the Peace for the West Riding of Yorkshire (Claro Wapentake) giving the names of four recruits enlisted in pursuance of the same Act. *Signed*, W. Vavasour, Robert Hitch, William Norton, Thomas Kirke, Andrew Wilkinson.

Count de Lecheraine.

1704-5, February 21–March 4.—Abstract of a memorial from the Count de Lecheraine, envoy extraordinary of the Elector Palatine, to the Queen, as to the payment of the said Elector's expenses on his journey to Vienna, and the satisfying of certain demands made by him to the Emperor before sending troops to Italy.

James Craggs to Robert Harley.

[1704-5, March 3.] Saturday.—Is commanded by the Duke of Marlborough to wait upon him [Harley] at once with the enclosed papers, and to desire him to refer the same to Mr. Justice Powis, that he may report his opinion to her Majesty in Council how far he conceives Mr. Sterry entitled to her Majesty's mercy. [See Book of Petitions, *vol.* 7, *under above date.*]

Prince George of Denmark.—Report on the petition of Martha Wavell, widow of Captain David Wavell, and of Alice Scott, widow of Lieutenant Scott, on behalf of themselves and other widows whose husbands belonged to her Majesty's ship *Colchester*.

1704-5, March 5.—While returning from the West Indies the *Colchester* was disabled in the late great storm and driven to Ireland, where she was repaired; but coming thence to England, she was—in bad weather—driven on Brissom Rocks, at the Land's End, and staved to pieces, and the officers and company drowned. The petitioners pray that her Majesty's bounty, as given to others who perished in the storm, may be extended to them. The Lord High Admiral is of opinion that though her Majesty was pleased to allow bounty to the widows of those actually drowned in her service in the storm, in the same manner

as if they had been slain in fight, the case of petitioners does not come within that establishment, in regard the *Colchester* was lost almost three months after the storm. Neither do the rules of the Navy entitle them to any other bounty. *Signed.*

Endorsed by Harley :—" Read, the P[rince's] Council being present, March 18, 1704-5. Not within the rules of the Navy nor vote of Parliament."

MARIUS D' ASSIGNY, Chaplain of the *Exeter*, to ROBERT HARLEY.

1704-5, March 9. Kinsale.—" Having the honour to be known to you I judge that the following account of a sharp engagement between the *Exeter* and the *Thetis* of Rochefort may not be unwelcome to you and to the noble persons to whom you may communicate the particulars.

" We sailed out of Plymouth Sound, Sir George Byng's Vice-Admiral of the Blue being on board, Wednesday, 31 of January, in the evening, with the *Medway*, *Rochester*, and *Deptford*, to convoy forty-one merchantmen going to divers ports out of the way of privateers; sixteen were rich East India merchants. The next day, in the morning, we spied three sail near the Lizard Point. The *Medway* and *Rochester* chased them; the *Medway* took two, a ship of Liverpool laden with salt, forsaken by the company, and taken by a privateer of ten guns, which she also took. The ship was sent into Falmouth, but the privateer was brought away and joined us the next morning. We conveyed our merchants about 160 leagues south west of England, about the 46th degree of latitude; and February 12, in the evening we parted from them. The wind since has been as favourable to them as it has been contrary to our return.

" Wednesday following, 14 February, by break of day, we discovered five sail before us about three leagues off, directing their course the same way as we did—a strong easterly wind blowing and the sea very rough. We soon made them to be French. Being, therefore, at the head of our small squadron, we sailed by the first, second and third, and made up to a French man-of-war that was their convoy. We came up to him within pistol shot about noon. We plied him with all the guns that the wind and sea would permit; for he, being to wind of us, and both running upon a side, we could not make use of our lower tier. The French kept us in play about six or seven hours very briskly, with great and small shot; killed us fourteen men, wounded thirty-one, cut all our tackling and sails, and hurt our foremast. He would not strike till we had killed and hurt thirty-three, shot through all his masts, cut all his ropes and sails, and made four holes between wind and water. It was a desperate fight for the time, and though we were an unequal match for him he was not discouraged. When the captain and officers came on board I was sent for to be an interpreter; they gave this account:—

" That their ship was the King's ship named the *Thetis* of Rochefort, that sailed out of France 4 August last to the Caribbee Islands and St. Domingo, to convoy twenty merchantmen, and

came from the French Cape in fourty-four days in the company of nine sail, four being separated by bad weather; five remained yet in their company, one escaped us. Besides our prize we have taken three others; the *Medway* took the *Elephant*, of 400 ton; the *Deptford* took *La Gloutone*, of 300 ton; and the *Rochester* has taken the *John James*, of 100. They are laden with sugars, white and brown, indigo, cacao, etc. The *Thetis* had on board 300 hogsheads of sugar, 44 guns, 244 men, 25 hogsheads of indigo, 25 barrels of cacao besides several bags, 250 hides, above 2,000*l.* worth in coin and plate. It was commanded by a worthy gentleman, Le Chevalier de Saujon, a knight of the order of St. Lewis; his first lieutenant is Monsieur de la Tour Landry, lately a prisoner in England taken at Vigo; his second, Monsieur de Sougé; he had two ensigns—one named La Vilette is alive; the other, a young gentleman of twenty-four years of age, related to Madame de Maintenon, married to a young and rich lady of seventeen but a month before his departure, was killed with a cannon shot; his sorrowful widow, on board of us, truly deserves the Queen's and your honour's compassion. She has on board the *Elephant* ten thousand crowns worth of sugar. The other prisoners are the Count de Geres, late Governor of St. Christophers, Monsieur de Vasmeinier, King's Lieutenant in St. Martin's Island, wounded in the back with two bullets, Monsieur Feret, Messieurs de Morienne, de Bois, de Luche, de Silly, guard marines. Monsieur de Nemond is dead of his wounds. They humbly entreat your honour's favour and good word to the Queen, that their losses and sorrows may not be increased by a long imprisonment; and as they are designed for Plymouth they humbly beg from your honour and the Government that they may find there such comfortable orders as may render their confinement the more easy, and give them a prospect of a speedy exchange.

"Since our taking of the *Thetis* we have met with contrary winds and tempestuous weather, which caused our Admiral and Captain to take out of her most of her valuable commodities and to burn her. She lost twice her main mast and broke her mizzen, and was so leaky that it was a difficult task to save her; the men were all saved and are here in the prisons."

Postscript:—"I have something to acquaint you with upon which the success of our fleet now going to sea will depend, but without your express order I shall not venture to write to you."

Mr. Archer's Memorial.

1704-5, March 9.—In the latter end of King William's reign the Lords of the Treasury made an agreement with the groom-porter to furnish all the King's palaces and the chambers of the two Houses of Parliament for a certain sum; thereby cutting off all bills, which petitioner formerly had the liberty of making for all the goods he furnished. Before this bargain the officers of the House of Commons had the benefit granted to them by the late King, whose goods they were; but now all the goods, old and

new alike, belong to the groom-porter. He desires that he may not be deprived of his goods, but may have liberty to take them to refit and clean them against the next sessions.

Sir Gilbert Heathcote to Robert Harley.

1704 [-5], March 15.—St. Swithin's Lane.—"I am sorry I happened not to be in the House on Tuesday when you received the letter from Mr. Miles. I understand he complains against the Committee for reporting their opinion of his being privy and assisting to Pitkin's cheat, and grounds this complaint upon his not being heard."

At the first meeting of the Committee Miles was ordered to attend and bring with him all his books and papers relating to his dealings with Pitkin. He did not attend, nor were his books or papers brought. We understood afterwards that he was a prisoner in London for a great debt at the custom-house. But no person appearing for him the Committee took the evidence for proving the allegations in the creditors' petition; of which so far as relates to Mr. Miles I give a short account.

Mr. Waters, a linen-draper in Cornhill, informed that on February 11 Miles told him that he knew all the secret management of the affair and could make a discovery to benefit the creditors by twenty-five or thirty thousand pounds, but expected to have 20 *per cent.* allowed him; and repeated the offer next day at Mr. Stracey's (the City Comptroller). They said they would allow him 10 *per cent.*, but Miles would abate nothing of his first offer.

John Pinfold, servant to Pitkin, deposed that above 2,000*l.* worth of white cloths bought up by Pitkin at Christmas were removed to Miles' house; that Miles' name was used at the custom-house in entering a great quantity of Pitkin's goods; and that Miles, Pitkin and Brerewood had acted in collusion. It appeared by other circumstances that Miles was "at the bottom of this design"; wherefore the Committee reported against him.

Prince George of Denmark.

1704-5, March 22.—Report on the petition of Lieutenant Joseph Mason, of Colonel Pownal's regiment of marines, setting forth his services at Gibraltar and the wounds he received there; that by the rules of the Navy no allowance is made to marine officers losing their limbs in the service; since there were no marines in the fleet when those rules were settled. But sea officers who suffer that misfortune are allowed a year's full pay. The case is therefore referred to the Queen. *Signed.*

Endorsed by Harley "April 1. 1705, read. An extraordinary warrant ordered in this case to his Royal Highness."

Samuel Ogle to [Robert Harley].

1704 [-5], March 22. [London.]—Recommending to his favour the affair of the postmaster of Berwick; and hoping that the

reasons given in behalf of Mr. Nealson, the present mayor, will have some weight in respect to her Majesty's service. Prays a few minutes audience before leaving town for Ireland.

Memorial of the MARQUIS DE LA MESSELIERE, Brigadier, prisoner of war at Lichfield.

1705, March 25. (*Received.*)—Begs leave to go into France for six months upon parole, for some business of importance caused by the death of his mother-in-law.

SIR STAFFORD FAIRBORNE to [ROBERT HARLEY].

1705, March 29. Blackstakes.—I hope that my absence, which has been for her Majesty's service, has not put me out of your thoughts. You were pleased to tell me that, at the rising of the House, I might expect something to be done for me towards my support in the character her Majesty has been pleased to honour me with. I ask leave to remind you of this, and earnestly request you to move my Lord Treasurer in my behalf. I have been a great sufferer by loss of pay and other advantages when I was so unfortunately put out two years ago. The being driven by stress in the great storm into a foreign country was very chargeable; so also has been the despatching out here her Majesty's ship, "which, together with the sufferings of our family, the debts still due from the Crown on account of arrears of a pension to my mother after the loss of my father, and my own zealous services for the crown, these will, I hope, move our good Queen, my Lord Treasurer and you yourself to think of me."

JEFF. GLASIER to [ROBERT HARLEY].

1705, March 30. Doctors' Commons.—"I know of no use this Stretch can be in Mr. Thompson's cause, which has been finally heard and determined both by the Court of Admiralty and the Lords of Appeals; and Thompson's ship and goods restored to him. As to the cause of his detaining I am wholly ignorant, or for what he was taken into custody."

Endorsed as discharged the same day.

ISRAEL PHIPPANY and PETER FREELAND.

1705, March 31.—Affidavit sworn before John Vineing, Esq., Mayor of Portsmouth.

Both appearers formerly belonged to a ship called the *Speedy Return*, belonging to the Scotch Company, trading to Africa and the East Indies, of which Captain Robert Drummond was commander. On or about the 26th of May, 1701, the *Speedy Return* sailed from Newport, Glasgow, in company with the *Content* brigantine, Captain Stewart commander, and after touching at Bangole, in Guinea, and at the Cape of Good Hope, went to the Island of St. Mary's, in Madagascar, and took on board

negroes, which they carried to Don Mascarinos; thence they sailed to the port of Maritan, in Madagascar, where Captain Drummond went on shore. Nine or ten hours after, five several persons, who afterwards appeared to be pirates, armed with pistols, etc., came on board, on the pretence to buy something, and in the absence on shore of Captain Drummond with Andrew Wilkie, the surgeon, and several of the ship's company, whilst others were working in the hold, these five persons by force and arms took possession of the ship and made a signal, on which about forty or fifty other pirates came on board and took the brigantine, which was afterwards burnt; and the pirates forced these appearers and the other persons on board the *Speedy Return* to sail in her to Rogopore, where they burnt her; and then these appearers and their companions went on board a "Mocu ship" called the *Defiance*, which took them to Mauritius, where the appearers made their escape and got on board the *Reaper* galley.

Further, "at or after the time of taking the *Speedy Return*, neither Captain Drummond nor any other persons belonging to her were killed or wounded; neither was she ever attacked by a ship called the *Worcester*, Captain Greene, commander, or any other ship, sloop or vessel whatsoever." *Copy.*

Memorial to THE QUEEN [from A SPANIARD].

[1705, March?]—Has stayed in London thirty-nine months, during the whole of which time he has been subjected to insults, persecutions and calumnies by certain miscreants in the city. They have kept him within doors in the day time, stolen half his money, and defiled his food and drink in such a way (even poisoning the public conduits in their desire to harm him) that he suffers from fever and is obliged to seek out distant taverns by night or drink from the river and carry water thence for his use. He has presented "*ce mois dernier de Mars*" two large volumes in Latin to the Houses of Parliament, but has found none there to befriend him. If accorded an audience, he would even surrender his sword, though that is no small indignity to one of his profession. He prays that his enemies may be punished and himself relieved by the charity of the Queen and Prince Consort. [At the end of the memorial he states that it is now four months since he drew it up, and that this next August, 1705, his martyrdom will have lasted four years. It would therefore appear to have been begun in November, 1704, and finished in March, 1705]. *French.* 19 *pp.*

Also an abbreviated form of the preceding memorial. *French.* 4 *pp.*

———— to ————

1705, April 4. *Mary*, in Plymouth Sound.—Left the Irish coast on March 22nd. On the 28th the *Triton* captured a St. Malo privateer of 36 guns and 240 men; we also took two Dutch doggers laden with wine and brandy from Nantes.

On the 2nd the *Worcester* took the *Valeur*, one of Du Guay's squadron, of 28 guns and 220 men, commanded by the Sieur de Saint Auban.

Yesterday, off the Lizard, the *Medway* took a St. Malo privateer of 14 guns and 92 men.

"On the 30th past, lat. 49° 30', eighty leagues west of Scilly, had a violent storm, wind at W., which carried away the *Mary's* head and she sprung three leaks. The *Medway's* head is also loose; both the *Triton's* topmasts were blown by the board, and the *Anglesea's* fore top-mast." *Copy of extract.*

RICHARD MUSGRAVE to ————

1705, April 6. Heydon Castle. "Just now some of our neighbours are come out of Scotland who assure me that nation is very uppish, and that the town of Dumprooz [? Dumfries], about thirty miles from this place, are all in arms and exercise their men once every month, and that there are considerable numbers of gunsmiths and sword cuttlers come lately from France, so they are equipping themselves might and main to force a trade with England if the Union does not succeed. This town I have already mentioned has seven hundred fencible men in it.

"Pray communicate this from me to Mr. Secretary." *Abstract.*

CHARLES DUNSTER to ROBERT HARLEY.

1705, April 7.—Prays to be released in order to attend to his business, the neglect of which will lead to his ruin.

THE SAME to THE SAME.

1705, April 14.—Having been a prisoner near a month he prays to be set at liberty or bailed out, or to receive a *habeas corpus* or to have his prayer entered on the first day of the sessions.

Endorsed by Harley—"April 15. You may send to him for the names of his bail, and take them for his appearance at next term at the Queen's bench."

WILLIAM BORRETT to RICHARD WARRE.

1705, April 14. Inner Temple.—"The sessions begin at the Old Bailey upon Wednesday next; therefore I desire you will speak to Mr. Secretary, that he will be pleased to transmit to us what evidence you have, and the examinations you have taken relating to James Hannan, committed to Newgate for high treason, that we may prepare an indictment against him.

"I cannot continue Gordon a prisoner in Newgate any longer than these next sessions if I have not matter to prosecute him upon."

CHARLES DUNSTER to ROBERT HARLEY.

[1705, April 16.]—Has waited on him several times to beg for his discharge the first day of the term, being this day, in regard

of his innocence. The allegations against him "of having been in France this sixteen year, or farther than Hamburg," and of corresponding thence against the present Government with France and Denmark, he utterly denies. The West India fleet have fallen down the river, and if he be not discharged that same day he will be obliged to stay another twelve months.

JOHN TAYLOR to [J. BURCHETT ?]

1705, April 20.—"I being under contract with the Navy Board to serve a certain quantity of masts into her Majesty's stores, to be imported from Riga, which place is likely to be besieged by the Muscovites; and my factors there thinking it necessary to have letters from hence to the Swede and Muscovites, to signify that the masts are for her Majesty's service, whereby to secure them, I did about a week since desire the Board to recommend the same to the Prince, which they were pleased to do.

"I have since heard from Riga that [they] are like very soon to be attacked, and my factors do think the masts will be made use of in the siege, unless such letters are sent and ships come early to fetch them away; wherefore I desire to know what will be done therein." *Extract.*

[WILLIAM PATERSON to ROBERT HARLEY.]

1705, April 23.—"I have seen the two men who went from Scotland to Madagascar with the two Drummonds in a ship and brigantine, which were there surprised by the pirates, and afterwards by them burnt and destroyed as they found other ships fitter for their purpose. It does not appear that these Scots ships designed to consort or join with the pirates; but it is plain they both did and designed what trade and commerce with them they could, which I must confess I like as little as the other, but they had their reward.

"From the first seizure of the ship *Worcester*, in Scotland, I was sensible it was a malicious, violent and unjustifiable proceeding, though, as I have always industriously avoided meddling with their business, unless as it might some way relate to England, ever since my return hither, so I did not think fit to concern myself in this, not so much as in discourse. But now they have brought it to blood, and that in so more than inhuman and barbarous a manner, I think everyone who comes to hear or understand anything material towards the searching out this matter ought to exert himself, not only in order to get satisfaction for the blood, but because this is capable of being the means and handle for giving a turn to the affairs and dispositions in that nation, which, perhaps, could not so easily have been done without some such violent accident, by which they should put themselves so very much in the wrong.

"I am as much against giddy and violent proceedings in this matter as I am for such as are solid and vigorous. I likewise think it the greatest imprudence and injustice to charge faults

of this nature on mankind in heaps, upon whole nations, tribes, or families; though I am sorry to find this hardly to be paralleled madness to have so much infected the minds of Scotsmen, not only in their own country but likewise elsewhere.

"This accident has now discovered two things plainly to the world, which I have had too much reason to believe for some years past; the first, that notwithstanding their noise about it they have no Government there; and in the second place that by a course of accidents of not a few years' continuance, the multitude there are now at last become capable of any ill impression.

"Since I began to have any tolerable idea of these matters I have always thought there ought to be no different and interfering jurisdictions in the same Prince's dominions, and that the different circumstances of Scotland and Ireland with regard to England were ridiculous contradictions both in theory and practice, and this matter has so determined me that I shall now never think this nation can be happy and safe till the tumultuous routs of these countries are new modelled and annexed to this centre kingdom; but am of opinion the terms ought to be alike, equal and reasonable, whether done or procured by way of treaty or other means.

"As I told you on the last occasion, I cannot but think that the best or least bad part of the people there will, upon this great accident, first begin to be at a stand, and afterwards grow very uneasy, and if they are put in the right way of finding and perceiving the truth, may possibly become as violent against those who have misled them for several years, and at last landed them in this fatal mistake, as ever they were in anything, and am of opinion there is sufficient means and matter to work upon if but rightly applied, the dispositions tempered and directed; but of this I shall say more as there shall be occasion.

"Their having used a weapon which I was misfortunately concerned in the forming—I mean their African and India Company—for some years to quite contrary purposes than I ever intended, and now concluded it with this horrid scene, besides that those two men were at Darien, the one with me and the other with the ships that came after; and other things that have occurred and may still occur to me, more than another, makes it indispensably necessary for me to exert myself towards removing the guilt and odium of this blood and getting it laid where it ought to lie, and that pernicious club disbanded, and such other things done as may prevent like things for the future; but as I shall do it without the least design of applause, so I hope to do it with such temper and candour as not justly to deserve the blame of any.

"It now concerns all Scotsmen to divide themselves into two sorts, that is to say, those who are unwilling to bear the guilt or odium of the blood from those that are or ought; those who are unwilling to be prosecuted and hanged in this manner from those that are; and if the question be rightly stated and prosecuted, the first number will naturally increase and the last diminish and melt away.

" Those two men are well known in Scotland, which will very much help matters. I have got them each a note from Lord Peterborough to save them from pressing for some days till they can get the Queen's special protection, which I desire you to procure them, and that they may be in the public care as I have given them hopes, as well as to Mr. Green and Mr. Madder and the owners of the ship *Worcester*. . . .

" Their trial is not yet made public, though they threatened us with it ever since the condemnation of the men, and, as I told some zealots the other day, I supposed they were then doing it and perhaps writing a vindication, which it very much wants, for my part, before it comes. I expect it will be one of the bitterest lampoons ever was against that or any other country."

Case of the *St. Peter*.

[1705, April 24.]—The Swedish ship *St. Peter*, from Gothenburg, with tobacco for France, was brought in by a privateer; but in the High Court of Admiralty ship and goods were restored.

The privateer has appealed, alleging that the master of the *St. Peter* declared to him that the goods belonged to a Frenchman. The master was not on oath, and made a false statement, believing that the privateer was French. " The favour of Mr. Secretary Harley's presence at the hearing to-morrow is humbly desired, and the confirmation of the sentence of the Admiralty Court not doubted of."

Endorsed by Lewis " Concerning the ship *St. Peter* of Sweden; to be tried April 25, 1705."

Owners of the *Betty* galley.

1705, April 27.—The said ship, John Thomas, master, while sailing from Leghorn was captured on the 19th instant by two French privateers near Shoreham. Praying leave to ransom the said ship and cargo, being but of small value to the French and able to pay a considerable custom.

Appended are details of the cargo.

Sir David Mitchell to Robert Harley.

1705, April 28. Albemarle Street.—Proposes that the States General should be written to, to add six of their ships of the line of battle to the squadron off Dunkirk, under the command of the Marquis of Carmarthen, in order that they may together observe the motion of the French at Dunkirk and Ostend. *Signed.*

Mons. Le Clerc Virly to Robert Harley.

1705, May 2. London.—" I beseech your Honour to remember the case of Paul Breton, who is sick, and that he may have his liberty." I have been twice to your office for her Majesty's pass, but I am told that I cannot have it till Friday next.

Enclosing letter from Paul Breton to Mons. de Virly, complaining of his feeble health, in consequence of having been shut up in one room for ten months; praying him to obtain leave from Mr. Secretary for him to walk abroad in the day time, and offering a security of 500*l.* to 600*l.* that he will sleep each night in the prison. If this cannot be done, he prays to be put upon his trial. *French. Unsigned.*

Dr. George Bramston to Robert Harley.

1705, May 5. Doctors' Commons.—The ship and lading about which you wrote to me last month have been restored, although there were suspicions of an unlawful trade. An affidavit of the ill-treatment of the master has been left in Court, and I have decreed a warrant against the captain of the privateer, in case the Dutch master shall think fit to prosecute.

Endorsed:—"Dr. Bramston upon a complaint made by Monsieur Vryberge of the seizure of a Dutch ship."

Israel Feilding to Erasmus Lewis.

1705, May 10. St. James' House.—Requesting him to pray Mr. Secretary Harley to learn from the Queen whether a commission may be drawn for Colonel Anthony Rodney to succeed Major Nott as Deputy-Governor of Berwick, the Prince having promised to be Rodney's advocate in the matter.

Matthew Coudell.

1705, May 10.—Information as to the Irish troops in the French service:—

"Lieut.-General Dorington's regiment	1 batt.	In Germany.
Lieut.-General Lee's regiment ...	1 batt.	
Major-General Lord Clare's regiment	1 batt.	
Lieut.-General Shelden's regiment of Horse		In Flanders.
Duke of Berwick's 1st battalion.		
Major-General Galmoy's regiment...	1 batt.	In Italy.
Major-General Dillon's regiment ...	1 batt.	
Brigadier Bourke's regiment ...	1 batt.	
Brigadier Fitz Gerald's regiment ...	1 batt.	
Berwick's New 2nd batt. of Deserters ...		In Spain.
Mahoney's regiment of Dragoons		

"Each battalion, if complete, consists of 650 private men besides officers *en pie* and reformed officers, whose number three years ago were at least 120 in each regiment. Since that time 100 reformed officers were sent to Spain to head the new levies there, and 100 more were sent to Languedoc to head the Militia against the Camisards.

"By my serving a long time in those troops I am acquainted with all or most of the officers; and at my coming away they

gave me commission to acquaint the Government here that they would quit that service if her Majesty would be pleased to give them encouragement, which would be a greater loss to the King of France than four times their number."

In Flanders in the Spanish troops 3,500 [*sic*] officers; and in the Duke of Lorraine's troops most of his guards, both horse and foot, are Irish; and likewise in the Duke of Bavaria's troops several; and a regiment in the Duke of Savoy's service.

"After the last peace the Irish in France were twenty-five battalions of foot, each containing 700 men, besides officers, two regiments of horse, two of dragoons, and two troops of guards. All the horse were reduced to one regiment, now commanded by Lieut.-General Sheldon; and the rest reformed into the French troops; and of the twenty-five battalions and two of dragoons all incorporate into the French troops, excepting the eight battalions. The rest reformed in the French troops, where they still continue for want of having leave to return to her Majesty's service. . . .

"If they were encouraged, both Germans, Swiss, Walloons, Italians and French themselves, more than their number, would follow their example.

"As to the number of Protestants amongst them I believe they may amount to fifty or sixty officers of my acquaintance and a vast number of soldiers."

Endorsed "Mr. Cowdall."

Mr. Hill to Robert Harley.

1705, May 13.—Prays that the enclosed letter may be sent to the Duke of Marlborough. He understands that the Queen's bounty money extends to all who suffered in the last campaign, and he is entitled to assistance. With "the constant prayers of a great though small family."

Enclosing letter to Marlborough of the same date; stating that he is so reduced in circumstances that he blushes to own that he was forced to dispose of something off his back to carry him down to the country to try if he could raise as much money as would equip him for his Grace's generosity. But, being forced to go threescore miles afoot, it pleased God to throw him into a violent ague and fever, and till now has not been able to put pen to paper, but will make hard shift to be soon after his Grace.

John Brayne to Robert Harley.

1705, May 16. *Royal Ann*, Spithead.—"My late captain being succeeded by one in whom I believed I had not as much interest as with my former, I thought it to my advantage to have my discharge; which accordingly I had, and applied myself to Sir Cloudesley Shovell, who gave me a letter of great recommendation to Sir John Jennings, (as from your Honour)," with whom I am, waiting your pleasure.

LE COMTE DE LIONNE to [ROBERT HARLEY].

1705, [May 25-] June 5, N.S. Lichfield.—Prays for leave to go to France on his parole. The recitation of his reasons would be long and tedious. *French.*

THOMAS DRIVER to ROBERT HARLEY.

1705, May 26. Hereford.—Has served the Crown in the Excise for thirty years, and was one of the four General Riders until four years ago. "But new Pharaohs are risen, and many of my friends gone off the stage. All former services are forgotten: Jonah's lot being fallen upon me, being ordered to remove . . . into Somersetshire." This has been done by Mr. Onslowe, "who, I believe, has a pique against me." Prays him to burn this letter and plead for him verbally, "for a minute is entered at the Board that whoever makes any intercession to obstruct an order of removal shall fall under their utmost displeasure."

SIR STAFFORD FAIRBOURNE to ————

1705, May 27. *Royal Sovereign*, at Sea.—Lord Peterborough and Sir Cloudesly are now with the fleet, about fifteen leagues from the land, with a fresh northerly wind. As yet our advices from Brest have not reached us, but to-morrow we may expect Sir George Byng, who is gone to look in there. Everything seems here so cheerful and hearty that it promises success, let our undertaking be what it will; and I pray that her Majesty's arms may have a glorious campaign everywhere. "And whilst we are busy thus in our affairs abroad, I hope we shall not be forgot at home; and as I have had myself the honour of several gracious promises, so I desire not only your own remembrance of me, but that a noble Lord may also be put in mind in time of me, that if there be any alterations by remove or otherwise in the Prince's Council I may have the honour to be admitted into it, believing I can best serve her Majesty that way when the business of the war is over, or in the intervals in winter; besides, this will be some means the better to support the character of the flag I wear. . . . There are governments at home and several other good things in her Majesty's disposal . . . ; and whatever she is pleased to do for me cannot be done for anyone more entirely devoted to her service.

"In a little time we hope to send you home some good news."

MR. MACKENZIE'S Case.

[1705, May.]—In 1699 he went into France to study the civil laws; and when war was declared endeavoured to return thence, but was refused a passport, and "certiorated under hand," that spies "haunted his lodging," to give notice if he escaped. He knows no reason to justify his treatment by the French Court, but to serve the ends of "that hideous misanthrope Beaufford" [*i.e.* Simon Fraser, styled Lord Lovat],

who misrepresented him to the Ministry, to prevent him from giving information about his own "turbulent contrivances and conspiracy." Remonstrant passed fourteen months "in a fulsome and nauseous dungeon in the Basteele at Paris;" his papers were seized, and his health impaired.

On June 18th last [1704] the French King was convinced of Fraser's treachery and had him imprisoned at Angers, and released remonstrant, but placed him under *surveillance*, in which "precarious and limited liberty" he has remained eleven months, to the loss of his health and fortune; "the Court having declared it misdemeanour in any [that] should be so charitable as to speak of his case before the peace was made."

He refers to the "favourable patrociny" of Lord North and Grey, prays for a pass to return into England, and hopes that the Queen will not leave his sufferings unremunerated; and that he may not be "the only person could ever say,

"*Et mihi Pompeius, Cesar et hostis erat.*"

JOHN RICHARDSON, Gentleman.—Petition to Lord Treasurer Godolphin.

1705, June 1.—Setting forth his services in the Excise for above thirty-eight years and his detection of fraud in the salt revenue. But since he discovered this fraud to some gentlemen from whom he had hopes of advancement—not to the Commissioners of Excise—he was dismissed from his employment, and only offered a post as accountant, for which he did not conceive himself to be fitted. Prays for suitable employment in some part of her Majesty's revenue.

Enclosed are copies of depositions made by petitioner and Leonard Mills, of the Isle of Grayne, in Kent, giving details of an attempted fraud in the salt revenue by Thomas Slyford, of London, merchant.

Also a report on the same from the Commissioners of Excise to the Lord Treasurer, *dated* November 27, 1702. *Copy.*

Also a presentment by the said Commissioners, *dated* November 24, 1702; with a report of two searchers, *dated* November 16, 1702. *Copy.*

Also a further discovery of bribes offered by Slyford to Lord Garrard and Sir Willoughby Aston to defraud the Queen of the salt-duties. "Copied from a paper of Mr. Francis Cholmondly, of Valeroyal, in Cheshire." *Dated* September 3, 1702, and *signed* J. Richardson. *Copy.*

SOL. TYLER to ROBERT HARLEY.

1705, June 1. Shobdon.—"Captain Tayler has lately listed a parishioner of mine, one Walter Rewell, a servant of John Nicolls. The fellow happened to be in his cups at Pembridge fair, and thought himself then very well qualified for a soldier's employment; but his mind was soon altered, and he wished himself at his old occupation again . . . , being more dexterous at

handling the spade, the plough and flail, than wielding a sword, a spear, or musket." His father and his master pray me to desire you to have him discharged, giving him a good character, "and the man himself declaring that it was the first time he was overtaken with drink, and that it should be the last."

JOHN COOKE to PRINCE GEORGE.

1705, June 4. Great Yarmouth.—The captain of one of the packets carried to Holland a popish priest without a pass. The writer is now at Yarmouth if wanted.

JEFF. JEFFREYS to SECRETARY HEDGES.

1705, June 13. London.—Forwarding a letter from Sir Edward Williams, knight of the shire, divers justices of the peace and other gentlemen of the county of Brecon, about two notorious villains convicted of burglary at the last assizes. The judges that condemned them, Mr. Cox and Mr. Serjeant Bannister, will certify that they deserve no mercy, for, should they be pardoned, they will quickly increase their number in that or other counties.

Annexed letter signed by Sir E. Williams and twenty-three others, and representing that the burglars in question, Thomas and Peter Morgan, are fitter objects for the Queen's justice than her clemency, and that they will probably do her little service in the army, if listed, for their brother Daniel, tried with them but acquitted for want of evidence, listed himself in Colonel Lilingston's regiment and has since deserted.

JOHN HICKES to ROBERT HARLEY.

1705, June 26.—Having formerly obtained employment by Harley's favour he prays again for a post in the Excise.

Another letter of July 20, 1705, prays for further assistance.

M. Y. to ROBERT HARLEY.

1705, June 30. Bristol.—On the 28th arrived the *Severn* and the *Fort* galley, both from Leghorn; also the *Cork* galley, of eight guns, from Antigua. On the 8th instant, "being five leagues S.W. of Londonderry," the *Fort* had a sharp encounter with two French privateers, having been deserted by her consorts. The enemy, after three hours, left her much shattered in sails and rigging; she had one man killed and five wounded.

LE COMTE DE LIONNE to [ROBERT HARLEY].

1705, [June 30-] July 11, N.S. Lichfield.—Would not give him this trouble were he not absolutely obliged by the state of his affairs. Has a lawsuit pending at the end of August, and it is of the utmost consequence to him to be on the spot. Has come of age during his imprisonment, and cannot enter upon his

considerable estates without taking actual possession. A number of other reasons oblige him to ask leave to go to France for five or six months on parole. *French.*

Captain Henry Partington to Robert Harley.

1705, July 2. *Anglesey*, at the Nore.—Stating that he had been unable to comply with his orders to go on board the ships under his convoy to Holland owing to the violence of the wind.

Smithsby Hartley to Robert Harley.

1705, July 3.—Is informed that Mr. Nutting, paymaster of the transports, will shortly be called to account by the Lord Treasurer and discharged; "his coach and horses being already seized and being so much in debt that he cannot stand it." Prays to succeed him.

Richard Duke to Robert Harley.

1705, July 8. Burrington, near Plymouth. "My son transmitting your kind letter from my house to my grandson Rolles, at Stephenstone, where I was to carry home my granddaughter to Sir John Rolles (much pleased with her—better with 10,000*l.* from us than with 30,000*l.* offered him with another), your letter came this day to my hands, which I am carrying to Francis Drake, five miles hence, to consult him, who is Recorder of Plymouth, and to have, at least, his letter and interest to some in Plymouth to promote, at least, the manning out one of those ships there for our cruiser—my nephew, Porcher, of 6,000*l.* *per annum*, complaining they want men and a cruiser to secure their sand boats to bring dressing for their lands, etc.

"My son, whose wife hath been a-dying these two months, sent also a copy of your letter to Sir John Elwill and the merchants of Exeter to prepare some seamen, which are exceeding scarce, for one ship of about forty guns first, which Captain John Manston may command, seeing he succeeded in a former and took six ships worth above 40,000*l*, and can engage those few men that are left as soon as any man, if you please that a sound ship may forthwith be provided for him with as many men as may be (for some must be ordered); a lieutenant also he can engage with about a dozen seamen, of which you shall hear more as soon as I return to Otterton next week, for you know there must be despatch or it will be too late to do us any real service."

David Fearne.

1705, July 13.—"Epitome of several transactions wherein David Fearn was concerned, before, in and since the Revolution, 1688; and his present case." Including an account of how he saved the Duke of York from an accident on the hillside above

Dudinston Lake in the winter of 1681-1682, when his Highness, slipping on the ice, would have fallen into the lake if Fearn had not caught him.

J. Burchett to Robert Harley.

1705, July 14. Admiralty Office.—"I opened your letter which came this evening directed to the Council to His Royal Highness, and have just now despatched away letters to the Downs, Portsmouth and Plymouth, the which will, I hope, prove effectual with respect to the ship mentioned therein.

"The letters are in the Prince's name to require the captains of her Majesty's ships to stop and secure her at either of the aforementioned places."

Humphrey Walcot to [Robert Harley].

1705, July 14.—Hearing that Captain Cartwright, secretary to the Comptrollers of the Accounts of the Army, is removed to the office of paymaster to the forces abroad, he prays Harley to use his influence with the Lord Treasurer to obtain the secretary's place for him.

Edmund Elys to [Robert Harley].

1705, July 15. Totnes.—"I desire your acceptance of what is here enclosed as a token of my affection to your person, and to the memory of your good father, who (as my friend Mr. Beverley told me) did fully agree with me in my dissenting from Mr. Lock, etc."

J. Burchett to Robert Harley.

1705, July 16. Admiralty Office.—Since I wrote on Saturday I learn that the *Hawke* frigate is at anchor off Tilbury fort. I have sent to Captain Cleasby of the *Northumberland*, in Longreach, to send a lieutenant and a sufficient number of men on board her to prevent her sailing or her men going on shore. If you will likewise send to the governor of the fort to assist in this matter it will make more sure.

I enclose the copy of a letter from a Guernsey privateer touching several French ships laden with arms and ammunition for Scotland. (*Enclosure missing*).

J. de Fonvive to [Robert Harley].

1705, July 18.—"Mr. Secretary Hedges, if I understood him right, proposed that I should be a clerk in his office to compile the *Gazette* and write now and then copies of letters, but this I cannot accept; firstly, because my hand is scarce legible; secondly, because such a place, though honourable to young gentlemen, would be a sort of disgrace to a person of my age; and thirdly, because it is no way of preferment; and I never heard of any clerk but one who found that place a stirrup.

"The places of first clerks, called under-secretaries, ought to be naturally the preferment of other clerks after several years' experience; but Mr. Hopkins, Mr. Lewis and Mr. Addison are instances, besides many others, that those places do not require that such who have them should be brought up in the office.

"The writing of the *Gazette*, though judged trifling by such who never tried the difficulties thereof, requires more learning than some imagine, and a great deal of care to avoid blunders and contradictions; and as it must take up a man's whole time ought to have a suitable encouragement, and I dare say that the committing the writing of it to a young clerk, and the revising to the four under-secretaries, which was done upon pretence of saving copy money, has been one of the chief causes of the decay of the *Gazette*; and the Secretaries of State would have got more money . . . had they given 500*l.* a year to a gentleman of parts who had made it his sole business to secure that place to himself for his life; which he could not have pretended to but by being careful and diligent in his employment.

"I hope it will not be looked exorbitant in me to ask 400*l.* a year, considering that as no man can promise himself to be always well, I must keep a clerk to assist me in case of need; and as it is requisite he should understand some foreign languages, I can give him no less than 50*l.* a year. I have given a great deal more in my own business. I desire your Honours to consider likewise that the *Postman* brings me above 600*l.* a year, and it would be the highest piece of imprudence in me to part with it but upon a valuable consideration, upon account of uncertain fears or advantages to come. If I am capable to write the *Gazette*, as your Honours seem to think, it is not unreasonable in me to ask the same terms as Mr. Yard had." Thanks him for his intended favour.

JAMES COMBES.—Petition to Sidney Lord Godolphin, Lord High Treasurer.

[1705, July 18.]—By the favour of Robert Henley, late Commissioner of her Majesty's Customs, he was ordered to be instructed by the landwaiters in the port of London. In qualifying to serve and giving his attendance during a glut of business he has spent all his subsistence, and prays to be minuted for the next vacancy of a landwaiter or tide-surveyor.

Enclosed in a letter to Robert Harley, dated July 18, 1705, praying him to use his influence with the Lord Treasurer.

Another letter to the same from the father of the above prays that James Combes may be employed in Harley's office at Whitehall, or in any other employment whatsoever.

MR. BANKS' QUERIES.

1705, July 19.—Hannam buys a ship in his own name for which Shales pays. They name her the *James* brigantine of London, and appoint Robert Strong, master, and James Grady, mate.

They paid 37*l.* 10*s.* for a French pass, and the ship has been carried to St. Malo under the name of the *Betty* of Limerick, James Brown (which is James Grady) master. "Hannam used to make his brags that if the war with France continued but three or four years he should get such an estate by trading with France as that he might keep his coach and six."

W. Turner, Mayor of Derby, to Mr. St. John.

1705, July 23. Derby.—Stating that there is no occasion for the petition of Henry Davies, Thomas Sherrat and Edward Mellor, who were enlisted in pursuance of the Act for raising recruits; and describing the circumstances under which they were examined by the Justices of the Peace and handed over to Lieutenant Marmaduke Alsop, as being idle persons. Davis pretended to be a journeyman hatter, but was a frequenter of bad houses, a drunkard, a wanderer and the father of a bastard child. Sherrat "pretended to have an estate in land, but could not make it out, though he had three months given him to do it; and, being conscious to himself that he was within the intent of the Act did skulk about from place to place to avoid his being taken up." Mellor was "a hedge-breaker, and one that would not work without he might have excessive wages, and very unkind to his wife, often beating and abusing her." *Copy.*

J. Burchett to Robert Harley.

1705, July 27. Admiralty Office.—I send you the copy of a letter from Dr. Bramston, surrogate to the judge of the High Court of Admiralty, relating to the *Hawke* frigate, and am to desire that you will take her Majesty's pleasure whether the ship shall be permitted to proceed on her voyage and the letter of marque be restored.

Endorsed by Warre:—"Mr. Secretary had writ to the Prince's Council on this subject before this letter was received."

Enclosure—

Dr. George Bramston to [J. Burchett].

1705, July 27. Doctors' Commons.—Yesterday Mr. de Grave and Mr. Nathaniel Johnston, part owners of the ship *Hawke*, entered into security in the sum of 1,500*l.*, for the civil and honest behaviour of the commander, officers and men belonging to her; and Captain Patrick Galloway, her commander, took the oaths of obedience and supremacy. *Copy.*

J. Burchett to Robert Harley.

1705, July 27. Admiralty Office.—I enclose you copies of letters I have received this morning from Sir George Byng, relating to a correspondence held from hence with Captain Rigby, in France. "That it may not take air till such time as the proper

measures are taken upon it, I have transcribed them with my own hand."

Enclosure—

SIR GEORGE BYNG to THE PRINCE'S SECRETARY.

1705, July 22. *Triumph*, off Ushant.—I this day spoke a runner from Leghorn. Her master was lately a prisoner at Toulon, where he often saw Captain Rigby, and at his lodgings had an opportunity to copy a letter sent to him from England. I send it to you as it may be of use. *Copy*.

C. LEYONCRONA.

1705, July 27. (*Received*.)—Observations on the "Instructions for the privateers bearing date the 29 day of January, 1704-5."

Also a printed copy of the said instructions, with certain passages underlined or bracketed.

JOHN ROWETT to ROBERT HARLEY.

1705, July 27.—Hearing that Mr. Bridges, paymaster of the forces, has not his full number of clerks, he prays that Harley will speak a word in his favour, or remember him in some other way.

THOMAS SHORTER to MR. PATTERSON.

1705, July 28. Whitehall. Praying him to speak to Mr. Secretary about his business.

Enclosing his petition to the Earl of Kent, Lord Chamberlain. He has served as chamber-keeper in the Secretaries of State's offices for twenty years, and prays that one of the Queen's messengers, who is ten years younger than himself, may be permitted to resign his place to him.

Duplicate of the same.

J. RUSSELL to ROBERT HARLEY.

1705, July 28.—This is the humble petition of a disconsolate widow on behalf of her son to prefer him to some useful post, he being capable of anything belonging to the Customs.

MATTHEW COUDELL to [ROBERT HARLEY].

1705, July 28. (*Received*.)—When I saw you I disclosed my condition with becoming candour, and I have set forth my case in my petition, a copy of which is enclosed. The little fortune I lay claim to lies in Ireland, and I should not meet any opposition from my relations, they knowing my innocency, if I could with safety appear there. I am informed that it would be necessary for me to have her Majesty's order to the Lieutenant of Ireland to allow me the protection of the Government there.

Therefore I humbly request you to obtain me such an order, since I am unalterably fixed to devote the rest of my life to her Majesty's service.

Matthew Coudell, Gent.—Petition to the House of Commons.

[1705, July ?]—Went into foreign parts in his infancy and took to the service there, and came at last to be Captain of Foot; but quitted the employment on her Majesty's accession to return to England. Has hopes of employment in the army, as Mr. Secretary Harley knows. Has a small estate in Ireland devised to him by his deceased brother Thomas, if capable of enjoying it; if not, it is limited over to another relation now possessed of the same. To hinder petitioner from having the estate he was wrongfully outlawed in Ireland for high treason, by the contrivance of such as would have the estate go to the persons named in the will. The public gets nothing by his outlawry, which he prays may be reversed by a bill, or by a clause in some Act relating to Ireland now under consideration, that he may be able to devote the rest of his days to the Queen's service, and so atone for the follies of his youth.

Matthew Coudell to [Robert Harley].

[1705, July ?]—Having been given his choice of going to Flanders or Ireland with his Honour's recommendation, he would rather serve abroad, were he in a condition to do so; but as hi circumstances will not allow time to go this campaign, he begs for leave to go to Ireland in order that may bring his friends to some composition.

Timothy Gully's Memorial.

1705, July 29.—Upon the recommendation of several members of Parliament he was, by commission, dated April 1st, 1704, made second Lieutenant to the company of foot at Newfoundland. During his passage on board the *Coventry* he was taken prisoner by the French and lay in hard durance in France till his exchange within this fortnight; and now that he is ready to repair to his post he is informed that a commission has been obtained by surprise for another, and prays for relief.

Case against James Hannan.

1705, July or August.]—" Mr. Hannan, a merchant, having about two years since procured a pass, signed by the Count of Toulouse, to trade to France with salt beef and butter (the words in the pass) fitted out the *James* brigantine, Robert Strong, master, freighted with tallow, at Limerick, and in Falmouth Road was taken by a French privateer and carried to St. Malo, by the name of the *Betty* of Limerick, John Brown, master, and there

suffered to be condemned as prize; after which a caveat was entered against the said judgment and the cause was removed to Paris, where the said pass was pleaded.

"*Note.*—Hannan had some partners in the vessel, and it is supposed it was voluntarily taken to defraud the partners. The crew may reasonably be supposed to be prisoners of war; yet they are all come over without ransom and in no English transport; neither were they ever exchanged. It is positively affirmed that the said Hannan has long and does now correspond with France; and particularly that one Monsieur Goweing, a merchant of Bordeaux, is his correspondent, whose son is, or lately was, with Hannan in England."

H. Howorth to Robert Harley.

1705, August 1.—Being informed that Captain Gledhill, in quarters at Bedford, is at the point of death, he prays that he may succeed him in his command in Colonel Livesay's regiment, now returning home from Jamaica.

William de Jongh and George Walker, Masters of the Ships *Jaffrouw Susanna* and *Hope*, both of Rotterdam.

1705, August 7.—Affidavit. Coming from Nantes, laden with free and unprohibited goods, bound for Rotterdam, on July 22 last, they were met off Hyssand (Ushant) by Vice-Admiral Byng, who ordered them on board, examined them and their papers, and, finding them correct, let them pass free. But on July 26, in the Channel, off Dover, they were seized by Captain Lyngoe and Captain Thorpe, two English privateers, who brought them into the Downs, kept the deponents prisoners in a house on shore for seven days, demanded 18*l.* or 20*l.* as a ransom, and, having examined them, allowed them to come up to London to see what they could do. They are here to ask advice and assistance to clear their ships and get compensation. *Translated from the Dutch.*

Report of Prince George of Denmark to the Queen.

1705, August 8. Admiralty Office.—Her Majesty having referred the Marquis of Carmarthen's memorial to him, and directed him to examine and report on his Lordship's conduct, he reports that he has had no complaint from merchants or others of Lord Carmarthen's conduct during his late commanding a squadron of her Majesty's ships, which are now gone convoy to the trade to Hamburg and the Baltic; so that there is nothing to enable him to make the required examination. *Signed. Countersigned by Burchett.*

Richard Crawley to Robert Harley.

1705, August 9.—In answer to your letter relating to the repeated complaints from Holland about Dutch ships taken by

our privateers, it appears that our privateers have lately taken several ships coming from France, laden with French goods going to Holland, furnished with passes from the States General; so that if the goods on board these ships belonged to subjects of the States, they ought not to have been brought up or molested. But I believe it will not be denied that all or the greatest part of these goods belong to the French laders, as appears by the bills of lading and other papers found on board; and by the instructions to privateers they are lawful prize. The Court of Admiralty is ready to give all possible despatch to the cases; but the Dutch claimers are not willing to bring on anything to a hearing, expecting, I suppose, some more ample declaration from her Majesty. I am told that the Dutch positively insist "that a free ship shall make free goods," which the Court of Admiralty —as the law now stands—cannot allow, but must proceed to condemn to the privateer the goods that shall appear to belong to the enemy. If her Majesty sees fit to accede to this Dutch claim it will be necessary to have her declaration included in the instructions to the privateers; but the effect of it will be to make the Dutch the sole carriers for the French. *Signed.*

Sir John Cooke to Robert Harley.

1705, August 11. Doctors' Commons.—The matters complained of by the two masters [De Jongh and Walker] in their affidavit—

(1) That their ships were seized without just cause; (2) that they were detained prisoners seven days without examination; (3) that money was demanded of them for their release—cannot be decided without further evidence. (1) is the business of the Judge of the Admiralty; (2) will depend on whether it was possible to examine them sooner; for (3), if established, the captors and their bail will be liable; but any prosecution on any of these heads must be in the name and at the suit of the Lord High Admiral.

Major Lloyd to Robert Harley.

1705, August 11. Portsmouth.—List "of ships drove ashore and lost on Friday night, August 10th." Thirty-three merchantmen.

Report of Capt. William Holmes, Exempt of the Third troop of Horse Guards.

1705, August 16.—Mr. Philip Allen was one of the party of the said troop appointed to attend her Majesty at Newmarket.

"Captain Holmes commanding the guard one day her Majesty was in the field to see the races, Mr. Allen not marching in rank . . . Captain Holmes commanded him to keep his rank. But Mr. Allen gave him very rude and disrespectful language, and at the same time ran away from the party. Upon which the Earl of Albemarle, then commanding in chief, ordered

he should be taken and sent up to the Marshal with a guard of two Horse Grenadiers, and after it was known he was delirious, he hath been kept in pay out of charity during three months.

" The money paid by the gentlemen to be entered in the Guards is applied to pay for the accoutrements, which cost about 45*l.*, and to pay for a horse, which sometimes costs above 35*l.*; and the remainder is applied to a bank for remounting.

" According to the discipline and custom he could expect no other treatment than to be immediately struck from the roll and be tried for his life for having deserted her Majesty; he being actually attending her Royal person.

He has utterly spoiled the clothes and the horse, one of the finest of the three troops, and lost some of the accoutrements. Notwithstanding, his wife has received 50*l.* 18s., besides his pay, and given a discharge in full satisfaction. We are likewise informed that while Mr. Allen served he often declared that he and his wife were in no want, and he could very well live without his pay, though were his circumstances as represented in the petition, it is hoped it will be found by the above state of the case that there was no ground of complaint, but that he hath been used with great tenderness and charity."

M. Van Vryberge to Robert Harley.

1705, August 20. London.—Asks him to procure a hearing before the Lords of Appeal of the case of the *Catharine* of Rotterdam, condemned here by default. *Signed.*

Scotland.

[About August, 1705.]—" Some queries concerning the present posture of affairs in Scotland with relation to England."

Lady Elizabeth Hamilton* to Robert Harley.

1705, September 20.—Her yearly allowance of 44*l.* is in no way suitable to pay debts or live upon, she having lost her husband, father and an estate of 4,000*l.* a year, and having the charge of seven children. She prays him to shew this to the Queen, and bring to her notice what Lord Seafield, Lord Cromarty and the Duke of Athol said in her case. It is a miserable plight for an earl's daughter (*sic*). Mr. Warre can give a particular account of her troubles.

William Jackson to [Robert Harley].

1705, September 21. Edinburgh.—" I have presumed upon the christian account I have heard of you, as old Mr. Mather has signified to you, . . . an old acquaintance of your family, of which I hope you will take notice, relating to the expeding of

* Daughter of Sir John Hamilton, Baron Belhaven, and widow of Sir Robert Hamilton, bart. See *Calendar of Treasury Papers*, 1702-1707, p. 59.

that commission concerted and consented by her Majesty at Windsor, of which we persuade ourselves you will not delay being booked and designed in Mr. Houston's fraternity; which though multiplicity of business may obliterate her Majesty's memory, yet not yours. . . . It is done by her royal promise conform to their late and present Majesties' institution, which is more for public than private interest."

THOMAS EDWIN to ROBERT HARLEY.

1705, October 9.—Has been misrepresented to the Council as to his intentions in Mr. Smith's business. He served Smith for 30*l.* a year and his board, and "as such" desired to know the persons names that he said employed him. He said it was a secret, and had dealings with tradesmen whom (it afterwards appeared) he designed to cheat. After alluding to sundry services and incidents Edwin prays for redress and further employment.

Endorsed by Harley—"Concerning James Smith who broke army."

E[DMUND] DUMMER to ROBERT HARLEY.

1705, October 11. London.—Complaining of Sir Thomas Frankland's unjust treatment in regard to the packet-boats, which he ascribes to want of judgment or to jealousy. Has proposed to Mr. Hedges an advertisement suggesting that the Spaniards should be brought to the same confidence at Jamaica in "passing their effects" as the English have with them at Cadiz.

W. GILPIN to CHRISTOPHER MUSGRAVE.

1705, October 19. Scaleby.—Understanding that Mr. Richard Aglionby has been busy in getting subscriptions to a certificate wherein your name is mentioned, I send you a copy. It was intended to have got the Mayor of Carlisle to have signed it, so that the hands of their rabble would have made it look like a city Act, but I think the Mayor has refused it. "I believe they design to make use of it at the Council, though I cannot imagine that such stuff will take place there, for if the actions of magistrates must be subjected to the opinions of the people there will always be party men enough found to fly-blow them."

They have prevailed with the collector and some of the officers of the Customs to certify how ready Mr. Stanwix has always been to assist them, and particularly that he committed Irwin and Vaux for affronting some of their officers. These two people are notorious runners of uncustomed and prohibited goods, and have beaten the officers. I have had several informations and have granted several warrants against them, upon which several attempts have been made to take them. But a little after the matter which fell out betwixt me and Mr. Stanwix, it was thought

fit to apply to him for a warrant against the same people, though they had mine in their pockets. At the Assizes they were at last taken by my particular care, but instead of bringing them before me the collector (a kinsman of Mr. Stanwix) caused them to be carried to gaol on his warrant and absolutely stifled mine. They pretend that the collector's warrant was not for the same offence as mine; but if this be true, why did not they go upon both? "The certificate is downright a libel, and therefore it is to be hoped that the Council will show their resentment against those who shall offer it."

[David] Fearne's Memorial.

1705, October 31.—You know what mere accident (or rather providence) brought me first to be acquainted with Mr. Secretary last winter, and though the matter did not succeed as expected, yet my design was to serve the Government, and though I had frequent access to him and might have communicated what I knew of other matters, I would not until I found by my own observations that (according to the just character I had of him formerly by some good people) he is a man of integrity as well as of great parts.

Afterwards I have been free with him, and have offered many things in relation to the present government of these kingdoms, which, if put in practice, will greatly tend to her Majesty's service, the settlement of our constitution in church and state upon a more solid foundation, and support to the Protestant interest generally, if he have but time to read all and have been more particular as to the intended treaty, which I communicated to none else; but which if not in time looked into all the honest party's laudable designs will prove abortive.

It may be asked why it was said that none could accomplish some of these methods and matters save the proposer and one other. *Causa patet*, because none other can pretend to know the nation so particularly, the people's constitution, tempers, estates, powers and weaknesses, nor the individual places, their strength and weaknesses; for there is not one county but the proposer had relations and clients in it, when he was in practice at the Revolution, which obliged him every vacation to be riding over all the kingdom, and there are not many men who know the coasts of England and Ireland better than he.

In the last memorial I prayed that the resolve might be sudden (that is before Commissioners be named that are not sound at the bottom or are obnoxious to the people) "that no progress might be made till such and such men were brought over, neither of which being agreed to, nor that the Government thought fit to employ the proposer in that or any other service," I pray to be informed. My former services have not been rewarded, and having left a good employment I am reduced to embrace the first honest employment that God sends me. Many of my countrymen will obstruct the bringing in of me or any other honest man.

I also pray you " let me have the several memorials I gave in for eight or ten days, because they are a little dark and incorrect in several places," and I would digest and compress them and then send a true copy of them all to Mr. Secretary whenever he thinks fit.

SIR M[ICHAEL] WARTON to ROBERT HARLEY.

1705, November 4.—" Two of the three named for sheriffs for Lincolnshire, as I am informed, are my nephew [Charles] Pelham, and Sir John Newton, who married my sister. The first, I hope, as your kinsman you will assist. The other is sickly and is now confined to his chamber; has no settled family in the country, and really it will be the heaviest punishment can be inflicted on him. If these may be excused the favour will be very great."

JOHN NETTERVILLE'S Case.

[Before November 8, 1705.]—Setting forth the sums due to him and praying to be put on the Establishment of Ireland. *Draft.*

[*See Report on his case*, Calendar of Treasury Papers, 1702–1707, p. 384.]

Case of LADY TRANT, Widow.

1705, November 9. (*Received.*)—Her husband, Sir Patrick Trant, was outlawed of high treason, and in 1689, she followed him into France. His estate in Ireland was forfeited to be sold for the use of the public; and this estate being charged long before his treason with a jointure to his wife and provision for his children, a sum of 7,000*l.* was allowed to her and her seven children by Parliament out of the money raised by the sale thereof. This money is in the hands of the Sword-blade Company, who refuse to give it up unless she appears personally to give them sufficient discharges. Being restrained by Act of Parliament from returning into her Majesty's dominions under penalty of high treason, she prays for a licence under the Privy Seal to return.

Memorandum of [FRANCIS] CLARKE, the messenger who had the custody of Lady Power.

1705, November 13.—The latter surrendering herself at Mr. Secretary Harley's office while he was in the country, Mr. Lewis applied to Mr. Secretary Hedges, who ordered her into custody but signed no warrant for it. Lady Power has since been discharged by direction from the Lords. Clarke therefore desires a warrant to justify his detention of her and to entitle him to his pay.

ELDER BRETHREN of TRINITY HOUSE to J. BURCHETT.

1705, November 17. Trinity House.—In obedience to the Prince's commands they sent two of their number to join with

Commissioner Greenhill in the survey of Whitsand Bay and Por-de-nac Point. They now enclose their report and an estimate of the charge of building a mole or harbour there and light-houses as proposed.

They ask also for leave to apply to the Commissioners of the Navy for their brethren's disbursement. *Copy.*

COL. THOMAS COLLIER, [Lieut.-Governor of Jersey], to [ROBERT HARLEY].

1705, November 23. Jersey.—I delivered your enclosed letter to Monsieur de Sassey, a French prisoner, and enclose his receipt. He begs that it may not be sent to France, for if his enemies once know that he is in the enemy's country they will confiscate his estate. He has received a great many such letters, but has not answered any for the same reason. He expected her Majesty's permission to leave this place, and did not imagine when he came for protection that he should have been kept so long, and he thinks it is my fault, though I have represented his case to Sir Charles Hedges. He only begs leave to hide in England or Holland till his affairs are made up in France. *Signed.*

Enclosed is receipt alluded to, of a packet of letters from Harley sealed with a stag's head. *Signed* Vauguelin de Sassey. *French.*

EDW. BRERETON to [ROBERT HARLEY].

1705, November 29.—" I was informed this evening that Mr. Ambrose Thelwall is one of the three gentlemen returned by Sir Joseph Jekyll, Chief Justice of Chester, for her Majesty's choice of a Sheriff for the county of Denbigh. His mother has a large jointure out of his estate ; but his greatest unhappiness is that he is a Non-juror ; but is of a very quiet peaceable temper, and for that reason may deserve your favourable consideration."

C. LEYONCRONA to ROBERT HARLEY.

1705, November 30. London.—The Sieur Charles Gyllenborgh, a Swedish subject and the King's secretary, obtained leave last summer to go to France to see the country and perfect himself in the French tongue. His leave being expired, he wishes to return and serve under me here as before, and considering the dangers of travelling through the Low Countries in this time of war, he begs the Queen's leave to come over with one of the transports for exchanging prisoners, and for a pass in order thereunto.

ADMIRAL BEAUMONT'S SISTERS.

1705, November 30.—Memorandum. The date of the warrant for a pension to the Ladies Beaumont is May 15, 1704. By it the Prince is authorised to place a pension of 50*l.* per annum, for life, on each of the sisters of the late Rear-Admiral (to commence from Christmas last), viz.: Elizabeth, Anne Henrietta, Catherine Arabella and Christiana Beaumont.

CALEB POWELL.—Petition to Sidney Lord Godolphin, Treasurer.

[1705, about November.]—Has a report, dated October 27th, 1705, of the Queen's agents for taxes, for a sum of 321*l.* 6*s.* 9*d.* for extraordinary charges borne by him in returning the taxes of the counties of Brecon, Radnor and Montgomery to London. Prays that this sum may be paid to him.

LE M[ARQUIS] D' HAUTEFEUILLE to [ROBERT HARLEY].

1705, December [1-]12. —Paris.—Prays that his leave may be prolonged for another six months on account of the unforeseen perplexity of his affairs ; seeing that many of his comrades have obtained such prolongation. *French.*

J. BURCHETT to the SECRETARIES of ROBERT HARLEY.

1705, December 5. Admiralty Office.—He encloses a letter from Lieutenant Rawlings of the *Drake* sloop, and is commanded by the Prince to desire them to lay the matter before Mr. Secretary Harley, to the end the officers may be punished.

Enclosure.

LIEUTENANT RAWLINGS to J. BURCHETT.

1705, December 5.—Last Monday night I imprest eight men for the *Drake* ; and being beset by the mob was obliged to put my imprest men into Shadwell watch-house, where the parish constable, whose name is Frank Thompson, with the headborough and other officers, were charged to take care of them whilst I went to look for more. While I was gone seven of the eight men made their escape, by consent of the constable and other officers, who took money for their ransom. " The one man that remained in the watch-house will take his oath that they would have let him go if he would but give them money, but he had none about him." *Extract.*

[COLONEL DE] BALINCOURT to [ROBERT HARLEY].

1705, December [14-]25, N.S. Nottingham.—Believing that the Duke of Marlborough is now in London, he begs to remind Harley of his permission to go there on his Grace's arrival. Nearly a year has passed since his exchange, and if his release is deferred much longer it will do infinite harm to his own particular affairs without any benefit to affairs in general. *French.*

LIEUT.-COLONEL H. MAURICE to [ROBERT HARLEY].

1705, December 19.—Lichfield.—Having seen the permit which you procured for M. de Balincourt, colonel, to go to London on the arrival of the Duke of Marlborough, I beg the same favour. Since we have both been exchanged pursuant to the certificate of

which I send you a copy, I ask your assistance, with the assurance that I will not stay longer than you think proper. It would be a great grief to me to leave this country without seeing London, the fairest city in the world. *French.*

JOHN CHAMBERLAYNE, SECRETARY to the GOVERNORS OF THE BOUNTY OF QUEEN ANNE.—Memorial to the Lord High Treasurer.

[1705.]—In January last the said Governors laid before her Majesty divers rules and orders for the managing and distributing the said bounty among the poor clergy; and have ever since awaited her Majesty's pleasure. All business is at a stand till the Queen's pleasure be known concerning the said rules and a new charter. There is a considerable sum ready for distribution; and several charitable persons are ready to join with the Governors in augmenting poor livings as soon as the rules are settled. There can be no dividend nor orders taken about augmenting poor livings this year unless her Majesty approve of the said rules before the conclusion of the present Parliament. *Signed.*

Enclosing two drafts of the said "Rules and orders of the Governors lately laid before the Queen."

Case of PETER IPSEN AND COMPANY, of Housam in the Duchy of "Sleswick," owners of the ships *ANNA CATHERINA* and *GOLDEN HART.*

[1705?]—Concerning the seizure of the said ships by her Majesty's ship *Chester*, and the damage done to their cargoes during proceedings in the Admiralty Court. Narrates the course of the proceedings to the same effect as Brereton's memorandum, *p.* 170 above. In June last [1705] they proved that the goods were sound when disembarked.

THOMAS LLOYD, CAPTAIN OF THE COMPANY OF INVALIDS AT TINMOUTH.—Petition to Lord Treasurer Godolphin.

[1705.]—Petitioner and his two subalterns, having only half-pay and doing as much duty as any regular troops, were allowed by the late King as many servants as other officers in the army, viz.: two to the captain and one to each subaltern. But Mr. Robert Allgood, a deputy commissioner of the musters, without reason assigned, respited the officers' servants from 25th June, 1703, to 24th June, 1704, from which date they were restored by Royal order, as appears in the annexed certificate. Prays that they may be allowed the pay of their servants during the period of their being respited. *Signed.*

Enclosing Certificate *signed by* C. Deane, Clerk of the Commissary General's office at Whitehall; *dated* April 28, 1705.

WILLIAM PITTIS to ROBERT HARLEY.

[1705?]—You told me when I was under examination before you "that, rather than my necessities should make me comply with booksellers' requests in writing what they should put me

upon, you would be assistant to me yourself. I have forborne as long as possible giving your honour the trouble; but being without friends, without money, and under a very chargeable prosecution, I must beg leave to remind you that I have kept up to the tenour of your commands in writing but one little pamphlet since, which I made bold to present you bound up in blue Turkey leather, by the penny post, and is entitled '*Two Campaigns in One Panegyrical Essay*' in honour of his Grace of Marlborough."

I pray this implicit obedience may prevail for some consideration per bearer.

HENRY MACTIRE and W. HOUSTONNE to the PRINCIPAL SECRETARIES OF STATE FOR ENGLAND.

[1705 ?]—Praying for arrears of a pension from the privy purse in respect of services to the Crown since 1688. Avowing their fidelity to "your Lordships as the bulwark of the Protestant interest, though upon this head we have smarted by our countrymen." [*See letter of April* 14, 1705. Harley Papers ii., 174.]

WILLIAM ATWOOD.—Petition to Sidney, Lord Godolphin.

[1705 ?]—Complains that he was allowed "but the quarter before he arrived in England to justify himself against a suspension, without any hearing and which was never prosecuted. As appears by Lord Halifax's report, 370*l.* are due to him in England and at New York. Prays for the Royal bounty. [*Was suspended as Governor of New York in October*, 1705.]

"Case of ANGELO CORTICELLI and JOSEPH COMO of London, Merchants, and her Majesty's subjects."

[1705–1706 ?]—Concerning the refusal of Luke Giustiniano, a Genoese nobleman, to pay the money due on bills of exchange drawn upon them. A report made by Doctor Bramston and Sir John Cooke now lies before the Queen. [*His petition was referred to Bramston and Cooke, Dec.* 1, 1705.]

Case of THE SHIP *DOROTHEA*, Casper Jurgens, Master.

[1705 ?]—She sailed from Bilbao in January, 1704-5, and in February was captured by Captain William Thorpe, the papers being sent up to the Admiralty Court. The cause came to a hearing on June 21, 1705, when depositions on oath, the bills of lading, the ship's papers and pass agreed that she was bound to Gottenburg, and that ship and cargo belonged to Herman Gieseke and John Valck, of that place. But a policy of insurance was produced which showed that Hutchings and Rowse, Englishmen, had insured 250*l.*, and that the ship might go to Amsterdam; besides which Hutchings offered to prove that part of the goods belonged to him and other English subjects. The ship was restored, but the goods condemned, except what was

claimed by Hutchings and others, to whom time was given to prove their property. At the instance of the Swedish claimers an appeal has been entered, and a day being appointed for hearing the cause, several new claims in the names of English, Spanish, Hamburger and Dutch merchants and subjects were offered, and the Lords resolved that they should be admitted.

The claim made by the English is strange; for it is openly owning that they have acted against her Majesty's proclamation of war of May 4, 1702, whereby all her Majesty's subjects are strictly forbid to hold any correspondence or communication with France or Spain; and though some months were allowed for bringing away effects which the claimers had in these countries, this is not a question of months but years.

As to the Dutch claims, it is true that her Majesty has ordered that Dutch ships, duly provided with passes, should be allowed to trade with France; but this order was not published till March 19, 1704-5, whereas the *Dorothea* was seized in February, 1704-5, neither had she the States General's pass. On the contrary, it is evident that the whole is a clandestine, unlawful and coloured trade.

"That any claim should be entered in the name of Spaniards seems also very strange; for if the privateers, who are at very great charges, shall not enjoy what is openly owned and avowed to belong to the enemy, it will be very hard for them to find out what are good captures." The Lords, by their address to the Queen, of May 23, 1702, declared that it was highly requisite for the public service that she should give all possible encouragement to her subjects to set out private men of war; and the royal proclamation of May 17, 1703, encourages privateers to seize at sea or in the enemy's ports all goods belonging to France and Spain. If, notwithstanding this, her Majesty's enemies shall be permitted openly to claim and sue for the recovery of their goods so seized by her Majesty's subjects, it can certainly not be looked on as an encouragement to her subjects to make any seizures henceforth.

Enclosed is the statement of the claims alluded to, shewing that the *Dorothea* was captured by the *Flying Horse*.

State of Parties in Scotland.*

[1705 ?]—"The following list is to give account of the chief men in each county, but because most of them have their lands and commands intermixed in several counties, have therefore,

* This list must have been drawn up between 1703 and 1707, *i.e.* after the creations of 1703 but before Montrose and Roxburgh were made Dukes. The annotations, here printed in italics, are in another hand, resembling David Fearne's, and the list was probably sent up by him towards the end of 1705. (See his statement concerning his knowledge of the people on p. 196 above). The probable meaning of the abbreviations is:—*prot. succ.*, protestant succession; *neut.* or *n.*, neuter *i.e.* of the country party; *malig.* or *m.*, malignant, *i.e.* adherent of the House of Stuart; *ch. g. f.*, chief of clan, with great following; *pap. m. big.*, papist, malignant, bigotted; *disc.*, discontented; *prob.*, probably for protestant succession. What *suff*^{y} stands for, it is difficult to surmise.

for brevity's sake, joined such and such counties together in the list, by which there is a short view given of the chiefs of clans, great or small, and many of the noblemen and gentlemen of great estates who are not chiefs of clans, and how all are generally.

The Shires of North Berwick or Merse, Roxburgh, Selkirk, Peebles and Stewartry of Annandale :—

Prot. Neut. : Scott, Duchesse of Balclewgh.
Prot. Succ. : Johnson, Marquisse of Annundale.
Prot. N. : Hay, Marquiss of Tweedale.
Prot. Prob. : Ker, Marquisse of Louthian.
Prot. Prob. : Ker, Earl of Roxborrow, *ch. g. f.*
Prot. M. : Hume, Earl of Hume, *ch. g. f.*
Prot. N. : Hamilton, Earl of Selkrick.
Prot. Prob. : Hume, Earl of Marchmount, *suffr.*
Douglas, Earl of March, *infant.*
Prot. Succ. : Dalrymple, Lord President of Session.
o o o Douglas, Lord Mordington.
Prot. Prob. : Rutherford, Lord Rutherford.
Prot. Prob. : Swinton, of Swinton.
Prot. M. : Elliot, of Stobbs, *ch. f.*
Prot. Prob. : Ridell, of Ridell, *suffr.*
Prot. Prob. : Scot, of Harden.
Prot. Neut. : Scot, of Chatto.
Prot. M. : Langlands, of Langlands.
Prot. Prob. : Bennet, of Grubett.
Prot. Neut. : Scott, of Anchrum.
Prot. Prob. : Ramsey, of Edington.
Prot. Neut. : Glandstaines, of Glandstaines.
Prot. Neut. : Scott, of Thirlston.
Prot. M. : Cockburn, of Langton.

Many others in these districts will follow upon occasion as they assert.

The Shires of Dumfries, Nithsdale, Wigton, Stewartry of Kirkcudbright, Shire of Ayr, and Bailerry of Carrick and Kile :—

Prot. Prob. : Douglas, Duke of Queensberry, *succ.*
Prot. N. : Cunningham, Earl of Glencairn, *ch. f.*
Prot. : Kennedy, Earl of Cassilis, *infant.*
Pap. M. Big. : Maxwell, Earl of Nithsdale, *ch. fol.*
Prot. : Boyd, Earl of Kilmarnock, *ch. fol.*
Prot. : Chrichton, Earl of Dumfries, *infant.*
Prot. Neut. : Steward, Earl of Galloway.
Pap. Malig. : Steward, Earl of Traquire.
Prot. : Dalrymple, Earl of Stair, *succ.*
Prot. : Campbell, Earl of Loudon, *succ.*
Prot. Neut. : Gordon, Viscount of Cranmore.
o o o Cathcart, Lord Cathcart.
Prot. Neut. : Hamilton, Lord Bargeny.
Prot. N. : Moore, of Rawallen.
Prot. : Blair, of Blair, *ch. f.*
Prot. M. : Wallis [Wallace], of Cragy.
Prot. N. : Kennedy, of Culen.

Prot. Prob. Campbell, of Cesnock.
Pap. M. Big.: Brown, of Bishopton, *f.*
Prot. Neut.: Armstrange, of Applegirth, *ch. f.*
Prot. M.: Grierson, of Lagg.
Prot. Prob.: Murray, of Broughton.
Prot. Prob.: Murdock, of Murdock, *suffr. succ.*
Prot.: Hamilton, of Baldun, *infant.*
Prot. Prob.: Maxwell, of Morith, *succ.*
Prot. Prob.: Gordon, of Earlston, *fol. succ.*
Prot. Prob.: Dunbarr, of Mochrum, *succ.*
Prot. N.: Agnew, of Lochnaw.
Prot. Prob.: McDouall, of Garthland, *foll. succ.*
Prot. Neut.: Crawford, of Kerse.

There are many gentlemen more not named will join as they assert upon occasion.

The Shires of Lanerick, Renfrew and Bailerry of Cunningham :—
Prot. Neut.: Hamilton, Duke of Hamilton, *ch.*
Prot.: Douglas, Duke of Douglas, *ch. f. infant.*
*Duke of Queensborrow.
*Earl of Glencairn.
Prot. N.: Fleming, Earl of Wigton.
Prot. Prob.: Mountgomery, Earl of Eglington, *ch. foll.*
Prot. o o o Douglas, Earl of Forfar.
Prot. Pr.: Cochran, Earl of Dundonald, *as D. Hamilton.*
Earl of Selkrick, *ditto.*
Hamilton, Earl of Ruglen, *ditto.*
Prot. Boyle, Earl of Glesgow, *succ.*
Prot. Prob.: Carmitchel, Earl of Hindford, *f. succ.*
Prot. N.: Houpton, Earl of Houpton.
Prot. Prob.: Ross, Lord Ross, *ch. foll.*
Prot.: Steward, Lord Blantire, *young.*
Prot. Prob.: Houston, of Houston, *ch. f. succ.*
Prot. Prob.: Crawford, of Kilbirny, *neut.*
Prot. Prob.: Shaw, of Greenock, *ch. succ.*
Prot. Prob.: Lockhart, of Lee, *neut.*
Prot.: Cleland, of Cleland, *as Hamilton.*
Prot. Prob.: Bayly, of Laington, *ch. foll. neut.*
Prot. Neut.: Lockhart, of Carnwath.
Prot. M.: Stewart, of Blackhall.

Many more gentlemen in these Shires, and is with them as above said.

The Shires of Dumbarton, Lenox, Argyll and Boot [Bute] :—
Prot. Prob.: Campbell, Duke Argyll, *ch. g. f. succ.*
Prot Prob.: Grayham, Marquiss of Montrosse, *ch. g. f. n.*
*Earl of Dundonald.
Prot. Mal.: Stewart, Earl of Boot, *f.*
*Earl of Glasgow.
Prot.: *Lord of Blantire.
Prot. N.: Colwhon, of Luss, *ch. fol.*
Prot. Prob.: Cochran, of Kilmaronock, *neut.*
Kems, of Kems, *as E. of Boot.*
Prot. Prob.: Campbell, of Achinbreck, *succ.*

The Shires of East, Middle and West Lothians and Constabulary of Haddington :—

*Hamilton, Duke of Hamilton.
*Duchess of Balclewgh.
*Marquiss of Tweedale.
*Marquisse of Lothian.
Prot. N.: Setton, Earl of Winton, *ch. f.*
Prot. N.: Livingston, Earl of Linlithgow, *ch. f.*
Prot. Prob.: Ramsey, Earl of Dalhoussy, *ch. f. succ.*
Prot. Prob.: Hamilton, Earl of Haddington, *prot. succ. head.*
Prot. Prob.: Maitland, Earl of Lauderdale, *ch: succ.*
*Earl of Stair.
*Earl of Hopton.
o o o Setton, Viscount of Kingston.
Pro. M.: McGill, Viscount of Oxenford. *ch.*
Prot. P.: Primrose, *succ.*
Prot. M.: Cranstoun, Lord Cranstoun.
Prot. Prob.: Hamilton, Lord Balhaven, *succ.*
Prot. N.: Ballantine, Lord Ballantin.
o o o Sandilands, Lord Torphechen.
Prot. N.: Murray, Lord Elibanck.
Prot. Prob.: Cockburn, of Ormiston, *ch. f. succ.*
Prot. Prob.: Morrison, of Prestongrange, *succ.*
Prot. M.: Fowles, of Collanton.
Prot. N.: Nisbet, of Dirlton.
Prot. Prob.: Dundas, of Dundas, *n.*
Prot. M.: Dalmahoy, of Dalmahoy, *ch. fol.*
Prot. Prob.: Craige, of Riccarton, *ch. fol. succ.*
Prot. Prob.: Senclare, of Stevenston, *succ.*
Prot. Prob.: Murray, of Pomais, *n.*
[Houston] of Houston.
Prot. Prob.: Ramsey, of Abbotshall, *n.*

Many gentlemen in these counties will join also as they assert.

The Shires of Sterling, Clackmanan, Perth and Stewartrys of Menteith and Strathern :—

Pop.: Gordon, Duke of Gordon, *ch. gt. foll. reclaimable.*
Prot. Disc.: Murray, Duke of Atholl, *ch. g. foll.*
*Marquiss of Montrosse.
Prot. Prob.: Erskin, Earl of Marr, *ch. f. disc. neut.*
Prot. N.: Lyon, Earl of Strathmore, *ch. fol.*
Prot. Prob.: Erskin, Earl of Bucohan, *suffr. succ.*
Drummond, Earl of Perth, *in France.*
Prot. M.: Bruce, Earl of Kincardin.
o o o Campbell, Earl of Broadalbine.
Prot. Prob.: Hay, Viscount of Duplyn, *succ.*
Prot. Prob.: Ruthven, Lord Ruthven, *was for prot. succ., but dead.*
o o o Drumond, Lord.
o o o Lord Maderty.
Prot. N.: Rollock, Lord Rollock.

Prot. M.: Gray, Lord Gray.
Prot. Prob.: Elpheinston, Lord Elpheinston, *succ. ch. fol.*
Prot.: Bruce, of Clackmanan, *but neuter.*
*Murray, of Pomais.
Stewart, of Cerntilly.
Inverallachy.
Prot. M.: Stewart, of Ballachen, *fol.*
Pr. M.: Robertson, of Strowan, *ch. fol.*
Prot. N.: Drumond, of Glengys.
Prot. N.: Skeen, of Hallyard.
Prot. Prob.: Carr, of Carsland, *fol. succ.*
Prot. N.: Kier, of Kier.
Pro. N.: Grant, of Ballindaloch.
Many gentlemen will join as they assert upon occasion.

The County of Fife comprehending Kinross :—
Prot. Prob.: Linsey, Earl of Crawford, *ch. fol. succ. suffr.*
Prot. Prob.: Lesly, Earl of Rothes, *n. ch. fol.*
o o o Duglas, Earl of Morton.
Prot. Prob.: Weymes, Earl of Weymes, *ch. f. succ.*
Pro. M.: Carnegy, Earl of Southesk, *ch. fol.*
Prot. Prob.: Lesly, Earl of Leven, *succ.*
Prot. M.: Lindsey, Earl of Balcarras.
*Earl of Kincarden.
*Carnegy, Earl of Northesk.
Prot. Prob.: Melvill, Earl of Melvill, *suffr. succ.*
Prot. N.: Earl of Hopton.
Prot. M.: Lesly, Lord Lindors.
Prot. Prob.: [Balfour] Lord Burleith, *succ.*
Prot. M.: Elphinston, Lord Balmirinock.
Prot. M.: Lesly, Lord Newark.
Prot. M.: Kinard, Lord Killsture [? of Inchture].
Prot. Prob.: Enstruther, of Enstruther, *succ.*
Prot. M.: Bettune, of Balfour.
Prot. M.: Bruce, of Kinross.
Prot.: Erskin, of Cambo, *Lyon K. at arms.*
Prot. Prob.: Lundy, of Lundy, *succ. ch. f.*
As in the other counties.

The Shires of Angus and Mernse :—
*Duke of Douglas.
Prot. M.: Keith, Earl of Marshall, *ch. f.*
*Earl of Strathmore.
*Carnegy, Earl of Squthest (*sic*).
Prot. M.: Ogilby, Earl of Airly, *ch. f.*
Prot. M.: Mauld, Earl of Panmure.
*Earl of Northest (*sic*)
Prot. N.: Arbuthnot, Viscount of Arbuthnot, *ch. f.*
Prot. M.: Streton, of Lauriston.
Prot. M.: Foth[er]ingham, of Poury.
Prot. M.: Young, of Barr.
Prot. M.: Linsey, of Eagle.

Prot. M.: Falconer, of Bomano.
Prot. Prob.: Douglas, of Glenbervy, *succ.*

The Shires of Aberdeen, Buchan and Banff:—

*Duke of Gordon.
Prot. N.: Hay, Earl of Erroll, *ch. foll.*
*Earl of Marr.
*Earl of Rothes.
*Earl of Airly.
*Earl of Marshall.
M.: Lesly, of Bucchoin [Balquhain], Count of the Empire.
*Earl of Buchan.
Prot. N.: Earl of Finlater, Ogilby.
Pro. N.: Gordon, Earl of Aboyne.
Prot. N.: Gordon of Aberdine.
Pro. N.: Keith, Earl of Kintore.
x x x Ogilby, Earl of Seafield.
Prot. Prob.: Forbes, Lord Forbes, *ch. fol. succ.*
Prot. M.: Fraser, Lord Salton.
Fraser, Lord Fraser, *as the E. of Mar.*
o o o Olefant, Lord Olefant.
Pap.: Ogilby, Lord Bamff.
Prot. M.: Irving, of Drum.
Prot N.: Biard [Baird], of Achmedan.
Prot.: Setton, of Pitmedden.
Prot Prob.: Bucchan, of Achmacoy, *succ.*
Prot. M.: Stewart, of Kincardin.
Prot. Prob.: Burnet, of Leyes, *succ. ch. f.*
Prot. N.: Skeen, of Skeen, *ch. fol.*

The Country of Murray, comprehending Elgin, Forres and Nairn.:

*Duke of Gordon.
*Earl of Rothes.
Prot. M.: Stewart, Earl of Murray, *bui reclaimable.*
Fraser, Lord Lovat, *infant.*
Prot. M.: Southerland, Lord Duffus, *ch. n. f.*
Prot. M.: Gordon, of Gordonston.
Prot. Prob.: Grant, of Grant, *ch. fol., discontented.*
Prot. Mal.: Innes, of Innes, *ch. fol.*
Pap. N.: McIntosh, of McIntosh, *ch. foll.*
Pap. N.: McDonald, of Glengery, *ch. gt. fol., reclaimable.*
Pap. N.: McDonald, of Slait, *fol.*
Pap. M.: Captain of Clanronald, McDonald.
Prot. M.: McDonald, of Sky, *fol.*
Prot. N.: Campbell, of Calder, *fol.*
Prot. Prob.: Ross, of Killravock, *ch. f.*
Prot. N.: Dunbarr, of Burgy, *fol.*
Prot. N.: Dunbarr, of Grang, *fol.*
Prot. Prob.: Brody, of Brody, *ch. foll. succes.*
Prob. N.: Cuthbert, of Castlehill, *ch.*
Prot. N.: Calder, of Murton.
*Stewart, of Kincarden.

Prot. N.: Cumming, of Alter.
Pro. N.: Innes, of Coxton.
Prot. Prob.: Forbes, of Culloden, *succ.*
Pap. N.: Fraser, of Kinaries.

The Shires of Inverness, Ross and Cromarty:—
*Duke of Gordon.
*Earl of Murray.
Pap. N.: McKenzie, Earl of Seaforth, *ch. gt. foll.*
Prot.: McKenzie, Earl of Cromartie.
Prot. N.: Lord Lovat.
Prot. N.: McKenzie, of Assin, *g. foll., reclaimable.*
Prot. Prob.: Baron Ross, of Balnagoun, *ch. g. fol. succes.*
*Grant, of Grant.
*[McDonald of] Glengary.
*[McDonald of] Slait.
*Captain of Clanronald.
Prot. M.: McCloard, of McCloard, *ch. fol.*
Prot. Prob.: Munro, of Foules, *ch. fol. succes.*
Pr.: Cameron, of Lochyell, *ch. fol.*
Prot. N.: McIntosh, *ch. fol.*
Prot. N.: McPherson, of Mcpherson and Cluny, *ch. fol.*
Prot. Prob.: Munro, of Culrayn, *fol. succ.*
Prot. N.: McKenzie, of Couly, Gerloch and Scatwell.
Pr. N.: Fraser, of Strouy.
Several other gentlemen of other names will join with the honest party in that county not named here.

The Shires of Southerland, Caitness, with the District of Strathnaver:—
Prot. Prob.: Southerland, Earl of Southerland, *ch. fol. succ.*
Prot. M.: Sinclare, Earl of Caitness, *ch. gt. fol. reclaimable.*
Prot. Prob.: McKay, Lord Rea, *ch. gt. fol. succ.*
Prot. Prob.: Murray, of Polrossy, *as E. Southerland.*
Prot. Prob.: McKay, of Bighouse, *as Lord Rea.*

The Stewartry of Orkney and Zetland:—
Prot. Prob.: Elphinston, of Lapness, *suffr., forced to leave the country.*
Prot. M.: Grehom, of Grehomshall.
Prot. M.: Bucchanan, of Sound and Sanside.
Prot. M.: Cragy, of Gernsey [Gairsey].
Prot. M.: Douglas, of Eagleshaw.

[Newcastle Merchants] to William Carr.

1705-6, January 4. Newcastle.—The ship *Ann and Mary*, Samuel Liddle, master, with a freight from Coningsborg, was captured in her homeward voyage last October by an Ostend privateer; and after about ten days detention was retaken by a Hamburg man-of-war and brought into Hamburg, where she is claimed as good prize, because she was so long in the enemy's hands.

They applied to Mr. Wygh (Wyche), her Majesty's resident at Hamburg, asking him to reclaim the ship and cargo, they paying the usual salvage; but Mr. Wygh answers that he cannot do anything without an order from the principal Secretary of State. Requesting him to move Mr. Secretary Harley on their behalf. *Signed*:—Ro. Fenwick, Nic. Ridley, William Procter *and* George Whinfield.

J. BURCHETT to the SECRETARIES of ROBERT HARLEY.

1705-6, January 7. Admiralty Office.—Encloses an anonymous letter, signed S. W. The writer pretends to make discovery of some abuses in the navy, in which he himself has been concerned. Mr. Secretary Harley will please to receive her Majesty's pleasure in relation to pardoning him for the offence, in order to his making the discovery he promises.

Enclosure:—

S. W. to J. BURCHETT.

1705-6, January 2.—In the latter end of 1703, "several persons came to my house and desired me to receive some money for them from the paymasters of the Royal Navy, upon wills, administrations and such like powers, being the wages of seamen deceased in her Majesty's service; which I innocently did, and likewise bought several powers of them, so that I paid amongst them near 200*l.* before I knew they were cheats. And when they had me thus linked in amongst them . . . they made no difficulty to discover their secrets to me, which I seemingly yielded to comply with" in order to disclose them. I request you to procure me a pardon for the short time I was innocently concerned with them, a protection against all manner of arrest and a general warrant, which, if granted, would enable me to "spoil their trade," and bring about their punishment and the restitution of the sums they have fraudently acquired.

BARON D' ELTZ to [ROBERT HARLEY].

1706, January [3-] 14. Lichfield.—Since everybody here has made all haste to pay his respects to Marshal de Tallard, it would seem ungracious if I did not do likewise. Most of those who went having returned, I beg you to get me permission for such time as you see fit to limit me to. *French.*

Memorandum of Madame CATHERINE D' ESPOY DE CANTIRAN.

[1705-6, after January 13.]—Acknowledges the Queen's generous charity in allowing her a pension; but by reason of her advanced age she prays that it may be divided into equal shares and settled upon her son Marc Antony and her daughter Susan, "which is all the comfort the said Catherine de Cantiran expects on this side Heaven."

Annexed, a memorial stating that she has been recommended by the Queen of Denmark and Mr. Secretary Harley to the Queen. *Endorsed with above date. French.*

Also a note to Mr. [Erasmus] Lewis praying that her name may be inserted in the list of pensions presently to be presented to the Queen, *endorsed* 1705-6, January 12th.

HOUSE OF COMMONS.

1705[-6], January 18.—Resolution and order for an Address of thanks to the Queen, *signed* Paul Jodrell, Clerk Dom. Com.

[*See H. of C. Journals*, vol. xv., p. 98.]

Endorsed by Harley—" that her Majesty is glad to find you express so much resentment against the libel mentioned in her message ; and takes very kindly the confidence you repose in her care of your privileges, which she will make the best use of for the advantage of the public."

The PRIVY COUNCIL to ROBERT HARLEY.

1705[-6], January 18.—Authorizing him as *custos rotulorum* for the county of Radnor to call upon the Justices of the Peace for that county to search for " all straggling seamen, watermen, lightermen, bargemen and fishermen," and to impress able-bodied men for the service of the Navy ; giving directions as to their pay and their treatment if they desert before being delivered on board ship.

Signed by eleven Councillors and the Clerk.

Endorsed by Harley—" Immediately copies sent to the Clerk of the Peace and the Justices."

JUSTICES of the PEACE for WILTSHIRE to [ROBERT HARLEY].

1705-6, January 23. Chippenham.—Giving the names of twelve men listed by them in Brigadier Webb's and Lord Mordaunt's regiments in pursuance of the directions of the Privy Council. Several others who were brought before them were refused by the officer as undersized ; though they consider that such men would be serviceable for the fleet, if a recruiting officer for the Navy were sent into their district. *Signed*, J. Montagu, Thomas Jacob, George Speke Petty.

Memorandum by ERASMUS LEWIS.

1705-6, January 24.—" Count Briançon desires that Mr. Stepney may have instructions to allow the [same] advantages to the troops of Saxe-Gotha that are to march to Italy as he does to those of Prussia and the Elector Palatine."

GEORGE STRAHAN to ROBERT HARLEY.

1705-6, January 25.—Prays for release on bail from his long confinement, to enable him to carry on business of great urgency.

Is willing to serve abroad in the matter of the discovery, of which he is at present perfectly ignorant and innocent.

SIR THOMAS FRANKLAND to [ROBERT HARLEY].

1705-6, February 3.—" We have a letter from Captain Gibson from St. Malo giving an account of his being taken. He says he defended himself five hours against the privateer, which had twenty guns and 330 men. Gibson's gunner hath lost his right hand, another man his leg, and five more wounded. He threw all the letters overboard. He had on board Captain Benson, of Lord Raby's regiment, Captain Hamilton, of Portmore's, Lieutenant Lloyd, of Elliot's, the Prince of Hess his Secretary, and the Prince of Hess his heart, to have been sent to Germany."

HENRY ST. JOHN [Junior] to ROBERT HARLEY.

1705-6, February 4.—In pursuance of her Majesty's order of reference upon the petition of Daniel Bevan, rector of Westwoodhay, in Berkshire, setting forth that one Thomas Hinton, an inhabitant and housekeeper in that parish, is pressed into the service, and praying that he may be discharged, he being an evidence in behalf of the petitioner in a cause now depending, and pressed in order to deprive the said petitioner of his evidence:— I have examined thereinto and find that Hinton is delivered over by a warrant under the hands of three Justices to Captain Jeffreys to serve in Colonel Tatton's regiment. I have received a letter from the officer in whose custody he now is, containing a further information of that matter, of which I send you a copy. Also a certificate of the said minister, churchwardens, overseers and inhabitants of the aforesaid parish, shewing that Hinton is a housekeeper and rents between seven and eight pounds a year, and other circumstances, by which it does not seem that he is a vagabond or within the meaning of the Act. Enclosed are two affidavits; one made by the said Bevan to prove that Hinton is a material witness, and the other by Elias Barnes, gentleman of that county, asserting the same thing; and that they had offered to procure two or more men to serve in his room for his discharge; and that Hinton was pressed and in the town gaol at Newbury a fortnight before the riot was committed there, and there continued till brought for London, and that he was in no wise concerned therein. So that whether he shall be discharged the service is submitted to her Majesty's consideration. *Signed.*

Postscript in St. John's own hand.—" I must add that I have no respect for certificates produced in order to get men discharged from the service."

Enclosed is a letter of the same date from Edward Lisle to Daniel Bevan stating that he, together with Mr. Kingsmill and Colonel Fawconer, had sent Hinton into the service, but, hearing that he was a material witness to discover the person who had procured Bevan's arrest in the late false action, he will in no way obstruct the discharge of Hinton, and will permit Bevan to use his name for that purpose.

Also a copy of a letter from Ensign Charles Leman, dated February 1st, stating that Hinton had been delivered to Captain Jeffreys by the Justices at Kingsclere in Hampshire; that no sooner was he secured in the gaol at Newbury than he incited the mob to enter into a combination, which they signed, to break the gaol and rescue the soldiers; and that he had offered the writer 30*l.* on the road between Reading and London to discharge him. "Finding that would not do" he got a *habeas corpus* brought to detain him as a witness to a suit, which the writer believes to be no more than a scheme to deprive him of his man.

Also a copy of the affidavits of Barnes and Bevan in the Court of Queen's bench alluded to above; *also* of the certificate of the rector, etc., of Westwoodhay as to the good position and reputation enjoyed by Hinton in the parish.

Also a certificate from the Bishop of Salisbury (Gilbert Burnet) that he had known Mr. Bevan for sixteen years, had always heard him well spoken of, and "never saw cause to find the least fault with him, but much to the contrary." *Dated* January 12. 1705[-6]. *Holograph.*

1705-6, February 8.—Extracts from an intercepted letter from London of this date.

On board the *Prince George* in Gibraltar Bay. December 31, O.S.—The Dutch squadron being worse sailors than ours, and our provisions beginning to fail, our Admiral thought himself obliged to leave them on the 9th, and we have not seen them since; but wherever they are, they cannot but be in a deplorable condition, unless Providence has sent them some help. I have been on shore to see the ruins of this place, the very thought of which will be melancholy in history.

People who have horses to keep complain of the dearness of hay, the seller of which excuses himself on the ground that none comes in from the country; for the farmers no longer venture to send it to town, their servants being impressed, and themselves in danger; and as they dare not make up other loads, or even go to work in the fields, the farmers take the opportunity of declaring themselves unable to pay their landlords. As the two Houses of Parliament are chiefly interested herein, there is no doubt that they are taking proper steps in the bill before them for the prevention of forcible impressment, to remove the subject of the farmers' complaints and excuses.

It is not known whether the Princess, the wife of the late King James II., will claim Somerset House as parcel of her dowry ratified by Act of Parliament, for we cannot say we are at war with this Princess.

There has been much talk, and even overtures made to stir up the Camisards, which the Marquis de Miremont was to have done about a year ago: but it cannot be believed that he will venture to give any news, until his enterprise is nearly complete.

"We are not alone in remarking that certain recipients of public moneys and private debtors to the Queen are turning bankrupt, and that bills are being brought in to authorise the

Lord Treasurer to compound with these defaulters; since somebody has told his Lordship that this sort of procedure is an authorization of dishonesty.

"Letters from Spain and France are so jubilant about the numbers of the troops for Catalonia, that some here fear that the re-inforcements we are sending will arrive too late, and talk as if the expedition were already a failure. Others are inclined to blame the undertaking, and to suggest that it was the Council of France who let the Court of Portugal get wind of it, and that the latter had adopted it as an honourable discharge from their extraordinary expenses.

"It is said that as Lord Mohun's regiment has refused to go to Catalonia, his command has been given to Colonel Mackartney, but that he will receive another in Flanders, where his Lordship is very eager to fight under the Duke of Marlborough. *French.*

ARTHUR DABBS and THOMAS SADLER, of London, Goldsmiths.

1705[-6], February 9.—Affidavit that the judicial seal of the three counties of North Wales was by them received and melted; and that after its delivery to them by William Peisley, Justice of the said counties, no impression was made from it.

Sworn before Sir Lacon William Childe, Master in Chancery.

MATTHEW HENRY to ROBERT HARLEY.

1705-6, February 13. Chester.—Is importuned to lay at his Honour's feet the case of a poor fellow, one William Newton, a journeyman watchmaker, who lies under sentence of death for selling underhand some old watches of his master's. Newton's brother, a tradesman of good repute in London, who brings this letter, and many other friends desire that his life may be spared, and that he may be transported or sent into her Majesty's service.

Could not have been prevailed with to presume thus far upon the knowledge his Honour had formerly had of a name so mean and obscure as his were it not *in favorem vitae*, and that it gives him an opportunity of subscribing himself his Honour's great admirer.

DR. GEORGE BRAMSTON to [ROBERT HARLEY ?]

1705-6, February 14. Doctors' Commons.—The ship *Hope*, pretended to be of Stade, has been at Dunkirk since January, 1704, and belonged then to other owners. It is pretended that in October last she was sold to one Pragman and the now master, both of Stade. So that the seizure is every way justifiable, Stade being within the Avocatoria and included in the present war.

ANTHONY ISAACSON.—Petition to Lord Treasurer Godolphin.

[1706, February 14.]—For the place of Collector at Liverpool. Recommended by George Granville, Jeff. Jefferys, Samuel

Sheppard and John Trevanion, members of the House of Commons. (*See Calendar of Treasury Papers*, vol. xcvi., No. 68.)

Annexed is a certificate of his diligence, dated February 25, 1705-6, and signed by five officers of the Customs at London. *Copy.*

Also a note that petitioner was recommended also by Sir Gilbert Heathcott and Mr. Boscawen.

THOMAS BLISS to [ROBERT HARLEY.]

1705-6, February 16. Maidstone.—A relation of his designs a younger son for the sea, on one of her Majesty's ships of war, and has prayed him to procure the Queen's letters. The lad's name is Thomas Manley. Asks pardon for writing, his late sickness having made him unable to give his attendance at the House of Parliament or pay his respects to Harley.

Intelligence sent to MONSIEUR THELLUSON.

1705-6, February 12-19.—Extracts of letters to M. Thelluson, banker at Amsterdam.

1705-6, February 12. London.—" That the convoy for Portugal, consisting of only twelve men-of-war, was not yet sailed.

" That the recruit horses for Holland were not yet embarked, the convoy being not arrived.

" That there is nothing in the report mentioned in the Dutch *Gazette* that 500 French *refugiés* have offered to serve under the Marquis de Miremont; whereas perhaps there are not so many in the three kingdoms who would voluntarily take service in the Foot. A regiment of Dragoons or Horse might perhaps be sooner raised. It is the opinion of the best men that nothing can be done for de Miremont. That the Marquis de Guiscar may obtain a regiment, the Duke of Ormond employing his interest for him, in regard he has not forgot the favours he received from the Comte his brother.

" We are surprised that the post of Holland of the 19th makes no mention of the Dutch squadron with the troops, so long said to be ready to sail in order to join our fleet at St. Helen's for the Mediterranean. This makes it said there is a treaty between the Queen and the States; that her Majesty is to add so many troops to her own as the Dutch quota amounts to, and that the Dutch are to supply this by adding the same number to their forces in the Low Countries: only the Dutch are to send recruits for their forces in Portugal. Others say, if England must send 8,000 men into Spain, where will they have them at present, it being as many perhaps as are to be had in the two kingdoms. At least the commissions are not yet given out for the new levies."

1705-6, February 15. London.—" Dr. Drake was tried for being author of the memorial and acquitted.

" The House of Lords have twice had under consideration the " *Oxford Almanack* " as a scandalous paper, but were come to no resolution about it.

"The *Burlington*, the *Crown*, the *Dartmouth* and the *Oxford* were ordered from the Buoy of the Nore to sail to the Cape of Good Hope to convoy home the East India fleet.

"Upon discourse about the "*Oxford Almanack*," some said the University was not well affected to the house of Hanover."

1705-6, February 19. London.—"The subscriptions for the loan to the Emperor go on very slowly, because, as it is said, the subscribers defer it till the Government become security and even the States General." [The financial position is further described.]

"There is talk of raising some regiments of French *refugiés*, one of Dragoons and another of Foot only, for Catalonia. . . . There are great fears that the French will make an expedition thither before the arrival of our reinforcements. However, there is some hope in the powerful diversion which the Comte de Galway is expected to make on the side of Portugal.

"Upon occasion of the law bill he compares the Court of Chancery to the Inquisition; says it is worse, since one may see an end in this but none in the other." (*Extracts in Warre's writing. The last letter is partly in French.*)

ANNE SACKVILLE to ERASMUS LEWIS.

1705-6, February 24.—Prays him to speak to Mr. Harley and procure her release. She has been in the surgeon's hands for two years; and was in Sussex and Kent for five years after her departure from France, and has been in prison a month.

EDWARD PULESTON, Mayor of Chester, and ROGER COMBERBATCH, Recorder, to ROBERT HARLEY.

1705[-6], February 25.—Report on the case of William Newton, clockmaker, recommending him as a fit object of the Queen's clemency.

C. LEYONCRONA to ROBERT HARLEY.

1705-6, March 4. London.—Besides the *Hope*, of Stade, Thomas Swenson, master, another ship has been lately brought in—the *Gyldenstern*, also of Stade, going in ballast from Stade to Bordeaux. He desires that they may be forthwith discharged, they having a perfect right, as neutrals, to trade with France; and in any case the King of Sweden, as an independent Sovereign, has sole power over the Swedish trade.

ADMIRAL KILLIGREW.

1705-6, March 7. Admiralty Office.—By the Prince's Council. Report on the petition of Henry Killigrew, esquire, setting forth that he has received half-pay as a flag officer from October 1st, 1697 only, although his pay as an Admiral at sea ceased on November 6th, 1693; and praying that he may be ordered the half-pay for the intermediate time.

On January 15th, 1699-1700, a pension was settled on Admiral Killigrew equal to half the double pay of an Admiral of the blue

squadron, to commence October 1st, 1697. On application made by the petitioner he was granted, on May 14th, 1702, a pension of 700*l.* a year, in lieu of the other.

The first of these orders " had a retrospection of about two years," which could not have been granted without the late King's express order ; and we cannot now advise her Majesty to extend this allowance of half-pay nearly four years further backwards, because the establishment made in 1693 settles half-pay on flag officers " during such time only as they shall be out of employment in time of peace."

Signed, D. Mitchell, Geo. Churchill, H. Pagett, Cloud. Shovell, R. Walpole *and* J. Burchett.

Endorsed by Harley—" Kensington, read, March 24th. Nothing done."

Michael Stretch to Robert Harley.

1706, March 8.—Praying him to accept good bail for his appearance, since his confinement is of very great prejudice to his small private affairs; and to give orders to his secretary to receive the bail.

James Smith to Robert Harley.

1705-6, March 14. Queen's Bench.—Protests his innocence of treasonable practices. It is true that he has been a general dealer in most sorts of commodities, buying them at a dead time of the year, with a prospect of making an advantage, and for this reason only. His books being in Harley's custody, he cannot recover his debts, and can only recommend himself and his family to Harley's charity.

Proposals with regard to the Gazette.

1705-6, March 18.—That Mr. Delafaye be employed to collect materials for the *Gazette*.

The care of foreign affairs being distributed between the Secretaries of State for the Northern and Southern provinces, that the two Under-Secretaries on each side have the supervision of the news to be inserted in the *Gazette* which come from any place within their respective provinces.

That the Secretaries of State will be pleased to communicate such parts of their letters as they think fit to be published.

William Carrill to Robert Harley.

1706, March 26.—Renders hearty thanks for Harley's favour to him. Still lies under the incommodity of a confinement, " daily contracting distempers and debts." Prays to be discharged or admitted to bail. He will give either Protestant or Catholic as surety.

WILLIAM CARR to [ROBERT HARLEY.]

1706, March 28.—On behalf of his brother, who is the youngest captain in Sir Charles Hotham's regiment and sees little prospect of promotion, not being a neighbour or relation of Sir Charles, as are most of the other captains. Prays that he may be transferred to one of the new regiments on the English Establishment.

Enclosing letter from Robert Carr to William Carr, of March 26th, reminding him that he (the writer) was deprived of his company in the Grenadiers, and setting forth his present case. He knows of a gentleman who is secure of a commission in one of the new regiments, whom Sir Charles Hotham would desire to have in his.

Memorandum by ERASMUS LEWIS.

1706, March 31.—Mr. Guiguer, an inhabitant of Lyons, but born in Geneva, and in the same circumstances as Locher, Solicofre and others, desires to come here for a fortnight to settle his business. Mr. Tourton and Mr. Guiguer of London will be his sureties.

Mr. Cardonnel came here by Lord Marlborough's order to desire that the Queen may be moved for leave for the French officers to carry two horses each to France.

Sir John Shelley desires a pass next week that he may go over with Lieutenant-General Lumley.

CHARLES CROSSLEY.—Information to [ROBERT HARLEY ?]

[1706, March or April ?]—Being surgeon of the *Bonaventure*, hired to transport soldiers from Ireland to Jamaica, he was captured by the French and brought to Dinan. Here he first met "one Conilla [Connelly] an Irishman," who had liberty to wear his sword and ride from city to city at pleasure, being, as he said, a Roman Catholic. But informant knew several gentlemen of that religion who had no more liberty than Protestants; and often saw Conilla "in the chamber of one Purssell, always writing. This Purssell acknowledged himself to be a spy in England for the French a year or two before."

In June, 1703, Conilla came over with informant to Dartmouth, never conversing with any of the English, for "all in general believed him to be a rogue; and as soon as they came ashore there was a talk they would inform against him to the magistrate at Dartmouth," but he escaped. Three weeks later informant met him in London, and told him that he was reported to be a spy, to which he replied that he had interest at Court and could become clerk in some office about Court. In November, 1704, "the day the Queen went to St. Paul's," he met informant and told him that he was in great haste, having obtained a warrant as purser for the ship that was then on the stocks at Deptford. Some time after he met him again at an eating-house in Cheapside; informant asked him to drink with him, but he hurriedly excused

himself. Conilla had told the servant of the eating-house that he was just from sea, purser of one of the Queen's ships, and was going as purser on board the *Bridgwater*, then lying at Bristol; but informant, meeting the captain of the *Bridgwater* afterwards, discovered that Conilla had gone to him with a pretended warrant, and that he had no clerk's place at Court.

He has lived three years with no fixed dwelling and has no estate or trade, and frequents a Romish house, where Perkinites (as they term them) frequent, where a great person that is a [*manuscript torn*] has been seen in company of this Conilla." He was also seen frequently in the society of an Irishman who was taken in a French privateer, by name "Sisell or Cicill," whom informant knew in France. "He was tried for his life at Portsmouth. Last year I met him in the city, and he told me he was a prisoner at Tower Hill but had liberty to go where he pleased. It is more than the French give the English."

Michael Stretch to [Robert Harley].

1706, April 1.—Protesting his innocence and praying to be freed from the power of the villains who have accused him of designs against the Queen. Begging also for a small bundle of papers at the Secretary's office, which are of no use to anyone but himself.

W[illiam] Blencowe to [Robert Harley].

1706, April 2. Marston.—"The papers which I received from you I have here returned, having taken copies which must serve my uses instead of originals. . . . They contain two cyphers, both very intricate, in different kinds. It is a misfortune common in cyphers of this difficulty that the discovery comes too late, when the opportunity of making advantage from it is past. But delays, which are necessary in the nature of the thing, must be excused. . . .

"I am in this case under all the circumstances of difficulty that can attend this work. The cypher is perplexed and intricate as any of this kind or as any that is fit for common use can be. It is contrived with a great deal of skill and written with the utmost caution. I see no sentence or word in it in plain characters, which, by the carelessness of some writers, often makes a weak part in a hard cypher. Nor have I heard in what circumstances it was taken, from what hand it came, or whither it was going; which, though it was proper for very good reasons to be concealed from me, might have been a light to have guided me in making some steps. The language, I am well satisfied, is French; but the rest of the discovery (where a long cypher is to be wrought into light from my own apprehension and observation on the dark characters before me, without the least foreign help or guide) will proceed slowly and require a great deal of attention and patience and time."

Memorial of JOHN HODGKINS, *alias* HOSKINS, and THOMAS TAYLOR.

1706, April 4.—Were journeymen carpenters at St. Paul's, good workmen and quiet in their business, but being in drink one Saturday night met with Top Heath and some seamen who tried to impress them. A quarrel ensuing, Hoskins struck Heath on the head with an edged deal stick and cut it, and a remedy not being timely applied he fell into a fever and died of it. They were condemned for wilful murder; but the fact being so accidental they pray that they may serve the Queen by sea or land.

BARON D' ELTZ to [ROBERT HARLEY].

1706, April [4-]15. Lichfield.—The return of my valet acquainted me with the treatment I must expect, and your letter confirms my knowledge. I am deeply mortified to hear that the Court could not find in my letter such enlightenment as I could have wished; for that is the only quarter in which I could enable you to do me the service you so graciously offered in your first letter. Many thanks for my servant's permit, and I shall be much obliged if you will inform me at your leisure of the further requirements of the Queen and Court in this regard. The story which I told can be verified without difficulty, as the facts are known all over Nottingham, Derby and Lichfield. Moreover, Mr. Degge, a gentleman living at Derby, can certify the same, and the coachman who drove him will be confronted with him to-day by the lieutenant of the troop here. You will perceive my anxiety to be found innocent by you; and I hope to persuade the Court to regard me as such, though I could bring forward other proofs. If I were a vain man I should easily be consoled by the honour which has been done to me, but what troubles me is my master's bad opinion of me, which proves how very little progress I have made in the twenty-three years that I have served him. *French.*
Endorsed:—"Received April 7."

DR. GEORGE BRAMSTON to [ROBERT HARLEY.]

1706, April 6. Doctors' Commons.—As private persons are concerned in bringing up the ships you mention, the discharge must be judicial. For this there will be a Court on Monday next [8th inst.], after which you shall have a full account.

[SIR] EDWARD NORTHEY to ROBERT HARLEY.

1706, April 6.—"I have perused the two enclosed affidavits wherein mention is made of great insolencies used by John Hardy, an attorney of the city of York, the Mayor of Kingston-on-Hull, Mr. Winchester, an attorney there, and Tho. Hawkworth of that place, in obstructing the pressmasters duly authorised in impressing seamen, and in rescuing and discharging some that were duly pressed for her Majesty's sea service; the preventing the like insolencies for the future I take to be of the utmost consequence

to her Majesty, and, therefore, I am humbly of opinion it is fit that the said offenders be prosecuted by information for their offences; but it being an act of clemency in her Majesty to hear what the persons accused have to say in answer to the matter objected against them, I submit to your consideration whether it may not be proper to let them have notice of the affidavits, and to order them to attend her Majesty in Council to be heard touching the same and to show cause why her Majesty should not direct them to be prosecuted for their offences. I am apprehensive, from former experience, that this method may be likelier to produce a reformation than a prosecution without first hearing them in the manner proposed."

Enclosing—

The affidavit of WILLIAM REINOLD, of Pontefract, in the county of York, pressmaster. Having been duly authorised and appointed pressmaster for raising supplies for the service of her Majesty's fleet, by William Ingram, esquire, deputy vice-admiral of the county of York, he, together with Samuel Medley and John Thompson, pressmasters, did impress thirteen men and carried them towards Hull. By the refusal of the constable of Sandam, near Hull, to assist in conducting these men to Hull, they lost three of them, and at Hull the mayor released four more of them, under pretence that they were masters of boats; and, further, caused this deponent to be taken into custody for impressing the men, and put him in prison by a corporation writ, and for three days kept him in a loathsome dungeon, forcing him to pay dearly for his meat and drink; endeavouring in that way to force him to give a note under his hand that he would not prosecute the men released. As he refused to do this he was set at liberty; but meantime the other pressmasters could not stir to impress any more men for the service of the fleet, to the great hindrance of the work and to the great loss and charge of the pressmasters.

When they first had impressed the men that the mayor of Hull set at liberty—all stout, able-bodied men, fit for the service of her Majesty's fleet—they took them, with some others, before Lord Downes, and desired them to say before him if they had anything to offer why they were not to be taken for the service of her Majesty's fleet. They offered not a word, so that his lordship signed the certificates and wished the pressmasters a good journey.

Further, Thomas Hawksworth, a sergeant of Hull, in whose house the impressed men were confined till they could be taken on board, after he had arrested the deponent, told the impressed men he would set the doors open and they might shift for themselves. On deponent's declaring that he would lose his life before any of them should escape, Hawksworth did not open the doors but said "that none but villains would be employed in the press-gang, and several other villifying words to that purpose."

And, further, one Winchester, an attorney in Hull, who was employed by two of the men that the mayor had let go, came to the place where deponent was confined, and in the presence of

the sheriff, who granted the action, told deponent that "before he went out of the town he would have his head from his body, and several other discouraging words," so that little has been done since towards raising supplies for her Majesty's service.

Dated March 23, 1705-6. *Certified by* John Bright.

Also—

Affidavit of ABRAHAM CROWDER of the City of York, yeoman. As marshal or officer for the vice-admiralty of York and Yorkshire, he received an order or warrant from William Ingram, esquire, commissary and deputy vice-admiral of the said vice-admiralty, with instructions (pursuant to an order of Council) to impress men within the said vice-admiralty for her Majesty's service at sea. In obedience to this order he did, on 26th February last, impress one Thomas Nowell, a fit man to serve her Majesty. Whereupon John Hardy, an attorney of York, and Nowell's wife with some other persons hindered and opposed the complainant, and told him that he was a rogue and a pitiful fellow, and bade Newell knock him on the head, for he was a very villain; and, further, Hardy and Nowell's wife and others that assisted, knocked deponent down and beat and bruised him after a most barbarous manner and rescued and carried Nowell away. *Dated* March 14, 1705[-6]. *Certified by* Francis Wyvill.

T. COKE to ERASMUS LEWIS.

1706, April 6.—There was a petition from Mr. Statham, a gentleman of Derbyshire, which Lord Gower some time ago sent to Mr. Secretary Harley to be delivered to the Queen, but hearing nothing of it I fear it is lost. The gentleman being a particular friend of mine, I desire you will put Mr. Harley in mind of it, and favour me with a line to know what is done. [*See* p. 339, *below*.]

DR. GEORGE BRAMSTON to ROBERT HARLEY.

1706, April 9. Doctors' Commons.—Yesterday was a Court of Admiralty at which the two Dutch ships came under examination, being brought in by private men-of-war. They were bound to France, having on board several quantities of naval stores, which neutrals are not allowed to carry. So that the ships and their lading were discharged on giving security that these naval stores should be taken out and sold in England.

The case of the Swedish ship would have been examined before Easter, but was deferred till yesterday at the desire of the Swedish envoy, and was then further deferred till next court on the petition of the claimer's proctor.

It is not possible to make out a list of ships in these seas having letters of marque; every ship having a letter of marque cruising wherever her owners think fit.

The examination of the pretended Dane was adjourned till next Court.

If it be her Majesty's pleasure to give a free trade to the subjects of Sweden and Denmark (though within the Avocatories of the Empire), the instructions to privateers should be altered accordingly; for as they stand at present, the privateers are justified in bringing these ships up.

SIR WILLIAM ST. QUINTIN to ROBERT HARLEY.

1706, April 11. London.—I enclose the answer of the Mayor of Hull to the charges laid against him by Samuel Medley, an agent of the deputy vice-admiral. "I find that he did nothing without the advice of his brethren and the captain of the *Rochester* prize, who were all of opinion that the two men he cleared, being masters of ships, were not liable to be imprest. . . . The Mayor is a very honest man and a true lover of her Majesty and her government. . . . To my knowledge he has been very serviceable to the sea officers in getting men for the fleet, and is a man of great years, being nigh eighty."

Enclosures:—

(1)—ROBERT TRIPPETT, Mayor, to SIR WM. ST. QUINTIN, Bart.

1705[-6], March 22. Hull.—Samuel Medley is a malicious and scandalous liar, and if he will swear to what he has written we will indict him for perjury. He was not in the town; I never saw Reynolds, though I advised those that arrested him to set him at liberty and pay all charges. Thompson I assisted to the utmost of my power. As to the men I cleared, I had certificates, which I enclose, proving that they ought not to have been impressed. I enclose also the affidavit of Hawksworth the goal-keeper. Aldermen Mowld and Hoare and the captain of the *Rochester* prize were with me at the clearing of the men, and were well satisfied that they ought not to have been imprest. If I am sent for, they are equally concerned. The enclosed letter from Mr. Ingram, which Medley sent to Alderman Mowld, will show you that the press-masters quarrel betwixt themselves. The country complains of them sadly stretching beyond their bounds.

(2)—WM. INGRAM to ALDERMAN MOWLD.

1705-6, March 12. Methley.—If Reinold and Thompson bring any more imprest men you will please to pay the money due for them to Reinold; for Thompson has kept what he received for the last when Reinold was a prisoner, and has not yet paid the charges for those men on the road.

With covering letter from Samuel Medley to Alderman Mowld of Hull. *Dated* Pontefract, March 13, 1705-6.

(3)—1705-6, March 23.—Deposition of THOMAS HAWKSWORTH, one of the sergeants at mace to the sheriff of the town and county of Kingston-upon-Hull.

On 28th February last nine persons were brought to his house in Hull, "several of them being pinioned or having their arms tied

with ropes " ; and with them were William Reynolds and John Thompson, who told him that these were imprest men and desired him to receive them, which he did. Thompson and Reynolds then went away, leaving these nine persons in his house, and the next day two of them, Joseph Mountain and John Whitehead, applied to him, saying they were masters of vessels and also that one of them was a constable and the other collector of the land tax ; that they had been very ill used by Reynolds and Thompson and been beaten and bruised while their arms were tied ; and asked him if they might not have a legal remedy. He told them he thought they might ; and thereupon they employed him to enter actions against Reynolds in the Court of Record at Hull, desiring him to execute the same, which he did ; but Reynolds was not committed to gaol, but was kept in deponent's house. Whilst with him Whitehead was very ill, and told deponent it was occasioned by the ill usage ; he was blooded, and, in the apprehension of the physician, was in danger of death. About three days after he was arrested Reynolds was set at liberty and paid only the usual fees, and as far as he remembers, 17*s.* for the sustenance of the nine persons. Further, Reynolds gave Mountain and Whitehead a note under his hand that he would not give them any trouble for the money he had laid out for their subsistence on the road, and thereupon they agreed to discharge their actions against him.

Further, one of the imprest men, named Standidge, complained of ill usage, and, by the advice of an attorney, brought an action against Thompson ; but deponent, having acquainted the Mayor of this, was instructed by him not to execute it and did not ; and as soon as the Mayor knew of the first two actions he ordered them to be discharged and Reynolds to be set at liberty ; which was done, notwithstanding the objections of Mountain and Whitehead.

(4)—Certificate that John Sefton of Knottingley, who was called on by the constable to assist the press-master in conducting the impressed men along the road, and was himself impressed, is master of a vessel which is all his own ; he has a good freehold estate, deals of his own venture in lime and coals, is churchwarden and overseer of the poor, and a careful and laborious man. *Dated* Knottingley, February 26, 1705[-6], *Signed by seven townsmen.*

(5)—Certificate that George Standage of Knottingley is owner of the most part of a certain catch or vessel and master of the same. He deals in coals of his own venture and is a very laborious careful man. *Dated* Knottingley, February 25, 1705[-6]. *Signed by eleven townsmen.*

E[DMUND] DUMMER to ROBERT HARLEY.

1706, April 12. London.—Giving an account of the voyage of the *King William* packet-boat, on board of which arrived the captain of the *Barbadoes* packet, which was lost " upon the coral-

shoals of Hineago Isle [Inagua], in the windward passage, on December 28th last—no man lost. They got all things ashore and built of the wreck a small sloop in six weeks and odd days time, and what bullion they had with the mail they embarked for Port Royal, and the next day met off Cuba a privateer or pirate, who took from them the bullion and the lieutenant and chief mate . . . and let the rest pass to Jamaica. . . .

"These are losses and disappointments owing entirely to the carelessness, want of courage or conduct in seamen, for the vessels are, of all others, without exception, and will do what a man pleases." *Signed.*

JOHN FAWLER to ERASMUS LEWIS.

1706, April 13. Admiralty Office.—Please to inform Mr. Secretary Harley that Mr. Conelly is purser of the *Sorlings* and is now in town. I write this in the absence of the secretary.

MONS. BLANZAC to [ROBERT HARLEY].

1706, April [13-]24 [N.S.] Paris.—Prays him to accept his thanks for having obtained a prolongation of leave from the Queen. *French.*

ABRAHAM MEURE to LORD ————.

1706, April 14.—It is a great pity that Colesse, who is so clever, gives such fine concerts to the folk of Plymouth. I wish that he could give one to your Honour and his benefactors. He is starving to death where he is, and will be no more dangerous in London than in Plymouth. There is to be no exchange of prisoners this year. If Mr. Godolphin would crave of Mr. Harley his return to London until they send some prisoners to France he will be ready to go at their orders. . . . He has been arrested nearly a year and reduced to five *sous* a day. *French.*

Endorsed by Warre :—"Writ April 17th to Commissioners of Sick and Wounded for an account of his stay at Plymouth."

MICHAEL STRETCH to [ROBERT HARLEY].

1706, April 19.—Thanking him for the preservation of his life; and hoping that his honour will make things as easy as possible, "for the best of friends are scared at the very name of high treason." Has sent Mr. Lewis the names of three persons to be his bail, but if he has his liberty, could easily procure "ten for one."

J. WARBURTON to ROBERT HARLEY.

1706, April 23.—"My case is that travelling into some parts of Kent, for good air and gentle exercise, I was apprehended as a suspicious person and thereupon committed, etc. If I might have the favour to meet the parties mentioned, when with you, I doubt [not] but you would permit me my liberty."

MEMORANDA.

1706, April 28.—Mrs. Macdonald desires a pass for her son, that she may take measures accordingly, and go to Ireland if it be not

granted. Mrs. Conington [?] desires Mr. Secretary to discourse with my Lord President about her son's case. *In E. Lewis's hand.* [*See* p. 340, *below.*]

ROBERT CASSILLS to ROBERT HARLEY.

1706, April 30. Newgate.—Has been a prisoner there ten years without trial or conviction, but upon bare suspicion of being concerned in a conspiracy against the late King, although he ever abhorred "everything of that nature." Some of those who were convicted of the crime have been pardoned or enlarged, and as no evidence whatever appeared against him he prays for the Queen's compassion.

SIR H[ENRY] D[UTTON] COLT to [ROBERT HARLEY].

1706, May 2.—Acknowledging his obligation to him for having procured a commission for his nephew, Harry Colt, in the new levies; and praying to be informed of the name of the regiment for which he is designed, as he has a good interest in the city and could enlist several men if he knew his colonel's name.

MASTER JOINER'S PLACE IN OFFICE OF WORKS.

1706, May 3. Office of the Works.—Report of Sir Christopher Wren, Benj. Jackson and John Churchill, on the qualifications of two competitors for the Master Joiner's place, vacant by the death of Alexander Fort; one of them, Thomas Fort, son of the deceased, the other, Charles Hopson. Both are stated to be well qualified as to their skill in work, but another ability is also requisite, which is a good stock to carry on the works of the Crown, where often the business required is sudden, and seldom ready money. They therefore certify that Hopson is best qualified, but urge that out of compassion to Fort's widow and family the debt (358*l.*) due from the Crown to him be paid, there not being money enough to inter him. *Copy.*

With note in another hand that Hopson's being Purveyor to the Office of Works makes no difficulty, as the joiner's and purveyor's work "do not in the least interfere with one another." *Also* that there is due to him 11,000*l.* from King William's time.

WILLIAM CARRILL to ROBERT HARLEY.

1706, May 4. Newgate.—Reminding him of his poor circumstances and of the order of Court at the Old Bailey last sessions, and of his petition, upon which his honour promised that he should be enlarged.

MONS. SILLY to [ROBERT HARLEY].

1706, May [4-]15, N.S. Nottingham.—Represents his deplorable condition and craves leave to go to France to recover his health, or at least to London, where he can find a suitable doctor. *French.*

A second letter, of July 29, N.S., thanks Harley for his good offices, and prays that the crossing may be from Dover to Calais, as he is not in a condition to endure a longer passage. *French.*

Public Accounts.

1706, May 6.—"State of the debts of the kingdom of England."
Endorsed by Harley:—"Received from Mr. Doddington, May 16, 1706."
Also "State of the revenue and public income of the kingdom of Scotland as it now is and what it may amount to."
With a similar endorsement.

William Carrill to Robert Harley.

1706, May 7. Newgate.—To comply with your orders I will repeat what I have written before. "The chaplain of a man-of-war told me for certain that a good store of powder, ball and arms were sent into Scotland, and with so much secrecy that not above ten persons in that town knew of it. . . . Several persons of quality out of Scotland go now and then to the Court of France so disguised that the King alone or the Court of St. Germain knew who they were." Had I known any of them or the seaport where the said arms were received I would freely declare it.

One Barry told it above board how the Irish Scots sent many horses over into Scotland, and upon that very reason believed there was a design. A Scots captain of a ship, by name George or Gregory said: *I hope, gentlemen* (meaning the English and Irish who were about him) *when the occasion offers we will not want your assistance:* to which they all answered he need not in the least doubt of it. The French captain who arrived from Scotland about the same time gave such assurance of the Scots being ready to take arms, I was persuaded it would be an open war before I came half-way." If any further news comes to me I will acquaint you with it.

Mons. Joly to [Robert Harley].

1706, May 11. Nottingham.—Having received his Honour's kind promise to move the Queen on his behalf, he prays that he may be allowed to stay three months at Nottingham, near the surgeon who is treating him for his various ailments; and thanks his correspondent for past favours. *French.*

James Boucher to [Robert Harley].

1706, May 15.—As her Majesty has been pleased to consent to set him free, and he and his wife and children are very sickly from confinement, he prays that he may be speedily liberated.

[*Cf. Eliz. Boucher's petition, pp.* 333, 378. *See also pp.* 230, 236.]

WEIGHTS AND MEASURES.

[1706, before May 16.]—" State of the weights and measures of England and Scotland with their difference in solid inches of running water."

Endorsed by Harley :—" Received May 16th, 1706, from Mr. Paterson."

JOHN STUCLEY to [ROBERT HARLEY].

1706, May 17. Plymouth Post Office.—Sir Stafford Fairborne, with his squadron of eight men-of-war, has just arrived from the coast of France. He brings in six small merchant ships, taken near Rochelle, and destroyed ten more. From a Dutch privateer this moment come into the Sound, thirteen days from Gibraltar, we learn that just as he left that place an express came there with advice that on the arrival of Sir John Leake before Barcelona, the Miquletts and other Spaniards rose and cut all to pieces the French army besieging the place. Regrets that the account should be so imperfect, but hopes the substance is true.

The EARL OF MAR to [ROBERT HARLEY].

[1706, May 17.] Whitehall.—" After I saw you at Kensington the Queen ordered me to give the Council of Scotland an account of the victory [at Ramillies] that there may be public rejoicings at Edinburgh ; therefore I beg that you will be pleased to send me an account of the news as they are, that I may send it by the express this afternoon." [*See Harley's answer to this letter*, Report on the MSS. of the Earl of Mar and Kellie, *p.* 263.]

WILLIAM CARRILL to ROBERT HARLEY.

1706, May 17. Newgate.—Of what I could learn among the cruel and merciless French I have given you a faithful account. As for Father Daly or Hurley, to the best of my remembrance I never saw either of them. I am innocent of anything that could prejudice the Government, and am afflicted with old age, indisposition and increasing poverty. I therefore humbly beg for liberty.

LADY J[ANE] GLASCOCKE to ROBERT HARLEY.

1706, May 19.—Reminds him of her wants and her long detention, and prays him to move the Queen for leave for her to go beyond seas ; if she does not soon obtain her liberty she will be unable to see Lady Throckmorton, her near relation and dear friend, with whom she has some concerns to settle, and who is shortly going down into the country.

E[DMUND] DUMMER to ROBERT HARLEY.

1706, May 21. London.—Giving the course of the *Prince George* packet-boat, lately arrived from the West Indies, and enclosing a paper from St. Christopher's. *Signed.*

Enclosure :—

1705-6, February 5. St. Christopher's.—The French fleet came round Nevis point about three in the afternoon, and the same night came to anchor off of Nevis, about two leagues ; being—

The Glorieux of 66 guns, commanded by Monsr. de Chanagnac.
The Apollon of 66 „ „ „
Le Brittaine of 66 „ „ „ Choisseul.
Le Fidelle of 50 „ „ „ Monsr. de Gabarett.
Le Duc de Los of 32 „ „ „ Monsr. de Clerc.

with twenty-three or twenty-four brigantines and sloops.

" The 11th.—They landed at Frigate Bay on this Island about 2500 men, commanded by Monsieur de Chanagnac ; and the same morning by break of day, near French Sandy Point, 250 men under Monsieur Poultaine, from four sloops. A lieutenant-colonel marched with a party to oppose them, but was beat back, the enemy being much stronger.

The Governor viewed several passes, and ordered Colonel Garnett to maintain a pass called Godwin, but three captains and most of their men, who had their wives and families in the woods, deserted him. The enemy being so very strong, the Governor, by the advice of a council of war, thought it fit to preserve the Queen's forts.

" The 12th.—We, not having 300 men in a body, Sollon with his men marched to the windward side and did a great deal of damage, burning several houses and plantations, sugar-works and canes. Monsieur Chanagnac advanced to Godwin Gutt, posted his colours at Colonel Codrington's house, and then parted his forces.

" The 13th.—The Governor, with the horse, rode out to view the enemy, and about a mile from the fort exchanged several volleys of shot with them.

" The 16th.—The enemy burned the town of Palmeto Point and Old Road, with Colonel Codrington's house at Godwin, with the parish church. They broke the great guns as they marched. The enemy marched about 1,000 men above the fort upon Brimston Hill into Sandy Point town, and burned the houses and canes as they marched, as also the town.

" The 17th.—The enemy embarked at the Old Road and stood to the southward. They burned most of the canes and houses on the leeward side of this island, destroyed several sugar-works and took off several coppers, stills, etc., with about 500 negroes, most of whom went voluntarily in to them, destroying abundance of horses and cattle."

P. N. to Robert Harley.

1706, May 22. London.—According to your desire I have been to look for a ship and found out where there are several to be sold. In this river there are two, but somewhat too big ; at Bristol there are two, sure to be good sailers ; at Plymouth there are six, prizes from the French, cheaper than the others, but not a quarter as strong as our English merchant ships. If I am to go

to see them, I must have a protection for nine men and boys or else they will be pressed. According to what encouragement your Honour will give me I must the next post advise my last owner to provide a master for his ship and take away my men. I hope to do more services to the Government than any that is gone on this account since the war began. *Signed*, P.N., *but endorsed by Harley :*—" Mr. Conlife, May 22nd, 1706."

PUBLIC ACCOUNTS.

1706, May 23.—" A state of the debts of England."

DAVID LINDSAY to the EARL OF MAR.

1706, May 23. Newgate.—Prays that he will speak to the Queen again on his behalf, and that he may receive a pardon, with the condition of banishment or transportation. If so, he begs to be allowed a few months' stay in England to see his family, recover his health and put his affairs in order. *Copy.*

Enclosed in a letter from Lord Mar to Robert Harley.

1706, June 21. London.—" I send you enclosed a copy of Mr. Lindsey's (*sic*) to me, upon which I spoke to the Queen, which is all I know or can say of his affair." [*Cf. pp.* 300, 379, *below.*]

JOHN BRAYNE to ROBERT HARLEY.

1706, May 28.—Having been left behind by Sir John Jennings I beg for a letter to Sir Cloudesley Shovell, having a desire to be in his ship. " I am afraid a peace will be concluded in a short time, and that I should never [have] attempted the Queen's order if I thought myself not capable of passing my examination."

PRESSING FOR THE NAVY.

1706, May 30. (*Received.*)—" Names of persons who complained to the States General that they were impressed by English officers " ; shewing briefly the circumstances of their impressment and the grounds of their complaint. Seven names.

[DR.] JOS. BROWNE to ROBERT HARLEY.

[1706,] May 30.—Your honour promised to send what was done last night to the Attorney General, so I beg he may hear from you before the court sits this morning, when I am obliged to move in arrest of judgment, which I hope you will respite for a time.

THE SAME to the SAME.

[1706,] May 30, at 1 o'clock.—I have received the sentence of the court to stand in the pillory on Saturday next and pay a fine of 40 marks. I hope that notwithstanding my provocations to you, your honour's generosity will not let a gentleman suffer so much shame "for a thing he neither wrote nor designed to publish."

JAMES BOUCHER to [ROBERT HARLEY].

1706, May 31.—Thanking him for his promise to forward his enlargement, and reminding him of his miserable circumstances.

WILLIAM BUTLER to ROBERT HARLEY.

1706, June 2. Newgate.—Prays to be admitted to Harley's presence, where, if he cannot answer satisfactorily, he leaves himself and his service to Harley's mercy "at this desperate juncture when the enemies of England's tranquillity are put to their trump cards. And if the Almighty does not avert the accomplices of a cursed crew, such mischief may ensue as will be past all remedy." He always had more to tell than he dared to scribble. "And though our angel guardians have hitherto hindered Hell's horrid intents, exasperation mixed with almost the uttermost desperation directs them now or never to strike the stroke."

JEREMIAH CONNELLY to [ROBERT HARLEY?]

1706, June 5.—"In November last was three years, coming from the West Indies in company with Mr. Leigh Atwood, son to the Chief Justice of New York, we were taken prisoners off of the Land's End of England by a French privateer called the *Marquee Darboes*, and carried to St. Maloes, where Mr. Atwood and I were stripped of all we had; and Mr. Atwood being in a dying condition with the stone, not able to help himself, one Mr. Magett, a banker, who, finding him to have good relations, gave him credit, obtained leave for me to be with Mr. Atwood in the hospital, where I continued for about seven months. But by the means of one Mr. Geraldine, a French gentleman, who was married to an English gentlewoman, and had great compassion towards Mr. Atwood, I had liberty to lie abroad, where I, as several others did, paid a penny a night for my bed, which with other expenses I had from Mr. Atwood, who was very much importuned by a friar to change his religion; in which, as he continued very firm, my usage of the friar for his being so troublesome occasioned his complaining of me to the Bishop of St. Maloes in order I might be removed from the conversation of him; upon which Mr. Atwood, thinking it not likely that he should soon get to England, supplied me with monies and advised me to make the best of my way thither.

"One Captain Johnson and I had agreed to get away together, but he, not being supplied with monies, was forced to stay behind; but twice making his escape was catched and confined.

"I had the fortune to get safe to Rennes, meeting in my way with several English and Irish, who took me for one designed for the Army. While money lasted I was well entertained, and, hearing the exchange boat was come to St. Maloes, I re-

turned to Mr. Atwood, who, being in a languishing condition with his distemper, obtained leave for me to come over with him, declaring he should perish without my assistance.

"While I was absent from him I learnt that seven sail of French men-of-war were hired (at Brest) by the ladies of Court and the merchants of Fort Lewis and St. Maloes to lay wait for our East India fleet; which, having communicated to Mr. Atwood, [he] at his arrival, gave notice of it in a letter to Mr. Secretary Hedges, which, as I conceived, occasioned the sending Admiral Dilks to the North-West of Ireland, whither the East India fleet had been chased by that French squadron. I have been informed since by one Captain Tayler, who was taken into St. Maloes some time after I came away, that I was threatened by some of the French taken at that time by reason of the discovery.

Having served several years in the Navy in such stations as qualified me for a purser's employ, through the recommendation of the Duke of Ormond and of the relations of young Mr. Atwood, who was much pleased with my care of him in his extremity, I was preferred to the place of purser of the *Sorelings*.

"After I came to London I lay at Mr. Atwood's uncle, Mr. Wood, a Turkey merchant in Bartolemy Close, for about a year, from thence to Swifting's Lane near London Stone, at one Mrs. Thornly, where I continued about a year, where Mr. Pender, Deputy Governor of the Royal African House, lodged for many years; from thence I came to Mr. Dunny's in Veer Street, near Clare Market, for the conveniency of being near the Admiralty Office and Mr. Atwood's, with whom I spend the most part of my time when I am in town."

William Butler to Robert Harley.

1706, June 9. Newgate.—I acquainted you a few days since with my addiction to do the Government good service, if you would permit it; "and to-morrow, the birthday of the enemy's idol [the Chevalier St. George], being the day when I hoped to have performed it," I pray to know if I may have the opportunity of convincing you that I am not the villain some of that sort have represented, and that I can do such services as would turn the scale of the severe judgment you have hitherto passed on me unheard and untried.

Isaac Bobin's Memorial.

1706, June 13. (*Received.*)—The importance of justifying himself with regard to the information laid against him of corresponding with enemies of the Queen and State in France, has obliged him to represent certain facts to Mr. Harley, to show that his letter in cypher cannot be suspected of criminal motives and was written to friends of the Government. On the 23rd of May last he wrote to Harley praying to be allowed five weeks to obtain from his correspondents advices as to the six or seven

lines in cypher which refer to them, and if they should be satisfactory, he will supply the key to the whole, which will prove to be a letter of advice to his brother-in-law, Pellerin. He wrote a similar letter on the 26th or 27th to Mr. Warre, saying that he would give the key to Harley, but begged to be allowed five weeks for the said purpose. But since this request has not been accorded, he prays that he may be allowed to read the six or seven lines in cypher to Harley, and at once erase them, to discharge himself of his oath in that regard. *French.*

Endorsed by Warre, "Received from Mons. de Bourdieu."

Enclosed Representation.

While in the service of Lord Melfort Bobin was made to swear secrecy, but being entrusted with designs subversive of the constitution and the Established Church, he felt obliged to reveal them to the Archbishop of Canterbury, and entered the service of England, and by corresponding with his agents in Paris through cypher letters to Pellerin at Poitiers he was able to give news of Lord Preston's plot against King William in 1690. The King sent him to Lord Rumney, who ordered him to continue his services at a good recompense, whereupon he explained his system of correspondence with Paris through Pellerin. The letter on which suspicion has lately fallen was concerned with Pellerin's private affairs owing to the failure of the banker Huguetant. He complains of ill-treatment at the hands of "*le sieur Robert*" [?Yard] of Secretary Hedge's office in the transmission of his letters, and prays for a remedy. ***French.*** ***5 pp.***

CHARLES GILDON, junior, to ERASMUS LEWIS.

1706, June 18. The Press Yard.—"I would willingly have my conduct unquestionable to Mr. Secretary; and lest my ignorance in these affairs should betray me to any method disagreeable to him, I desire to know whether you will be pleased to take my bail . . . as Mr. Stevens has satisfied Mr. Barrett, having two very substantial men, one worth five or six thousand pounds, the other besides his trade in the bookselling, has a place of 50*l.* a year for his life. I desire your answer by my wife, that I may have my liberty to-day."

CAPTAIN GEO. CAMOCKE to SECRETARY DAWSON.

1706, June 21. Waterford.—"On the 3rd inst. I sailed from Kinsale, but could not hear of the two ships at Cork, as they promised should be ready, although we stayed eight days; and the wind blowing fresh easterly we bore away for Castlehaven, where a ship of great consequence lay belonging to Bristol, and a privateer was off that harbour.

"On the 4th (the day we arrived) he stood off to sea, and we hovered under the land, as if afraid, and then I sent my boat in, which occasioned him to be bold to his cost. I ordered Capt.

Saunders to chase, and off Bantry he took him: so I brought the merchant-man with me and joined him: and after sending the prisoners ashore, we stood into the sea S.W. 100 leagues according to orders, and on the 8th parted with the merchantman, the wind at N.E. and N.N.E. We stood to the eastward these 24 hours, then the wind shifted to S.W., and we made the best of our way for Limerick; but on the 13th, one o'clock, we saw a sail (hazy weather): soon after discovered 8 large ships more. I was cautious how we engaged them, till we were certain. We threw out Danish colours and they answered with English. So I believed them an English squadron bound for Lisbon or the Mediterranean; and in an hour's time I cut off the sternmost, which proved a Frenchman from Nantes. He told me the rest were French also bound for Martinico, laden with provisions for that Island and Dominico, and that there was great scarcity of provisions there. He added that the ships were of great force, but I and Capt. Saunders were resolved to try what we could do. So we chased, and about 4 in the afternoon Capt. Saunders took another of 8 guns, 6 patereros, and 30 men (Letter of Marque). We outsailed them much upon a wind, and Capt. Saunders being two leagues ahead, I came up with one of 36 guns, one of 20, and another of 24. The great ship hauled up his mainsail; the other two did the same; and then I hauled up mine and fired two shots at the great ship, he being in point-blank shot. He bore down right upon me, and I judged he would be for boarding, or at least, very near; I braced to for him, and just as he came in my luff, he set all the sail he could and went right before the wind. I followed him, but he outsailed me; so I kept my wind and followed the other two ships, One of them tacks, and I stood on, and about 5 in the evening engaged him within less than pistol shot. At 7 he shot my fore-top-mast by the board and main-top-mast. Capt. Saunders seeing this, and being to windward, bore down, and about 8 came within shot, the Frenchman never being above musket shot off me; but the greatness of the sea caused his holding out so long. At 8 he struck, being a ship of 20 guns, 6 patereros, 45 men, and 180 ton.

"We lay by all that night to fit my rigging and get up another top-mast, and at 9 next morning saw another sail: ordered Captain Saunders to take my first prize in tow, and I gave chase: at one, I came up with her, and she soon struck, being one of the fleet, called the *Triumphant*. She had 12 guns, 6 patereros, and 25 men. On the 18th I saw a privateer of 36 guns, in the latitude of 48, 46′ north: gave chase, but she got away. We then endeavoured for Limerick, but the wind coming about northerly, we were forced into Waterford Harbour, where we, with our 5 Prizes, only wait for their Excellencies' orders." *Signed also by Capt. George Saunders.*

Annexed.—"The French line of battle of the ships bound to Martinico, and sailed from Nantes on the 11th of June, 1706, which the *Speedwell* and *Shoreham* met with the 13th Decem-

ber in the latitude 45, 28′, Cape Coraine bearing south, 49 [*sic* ? 9] easterly, distance 158 miles."

Ten ships, with full description. *Copy.*

W[ILLIAM] BLENCOWE to ROBERT HARLEY.

1706, June 22.—The cypher you sent me "I have interpreted in the method the key directs. The letters were so mixed with nulls and so irregularly transposed that it has required some time and pains to disentangle and reduce them into order even with the help of a key. I cannot say that without a key this cypher had been insuperable, but it is, as you see, contrived with a pretty deal of art against a decypherer, though not with any convenience to be written or read. When this paper was before in my hands, it was one of my guesses, which indeed was obvious enough, that the letters were only transposed and that in that the cypher consisted, as I find it does, and I tried to make out the meaning by reading downwards and backwards and other ways: but when I had tried these and many more conjectures upon a cypher that had not the appearance of being very large or very perplexed, and which I found to be wrote in a manner quite different from all the cyphers that I had ever known used, I was inclined to believe (what I confess I ought not in any case to suspect) that I was imposed upon by a cypher that had no intelligible meaning; which discouraged me from attempting much more about it.

As to the other cypher, in which your honour is pleased to think that I spare my pains and fear difficulties that are not, I beg leave to say one word in my excuse. It happens unfortunately enough in our work of decyphering that nothing but a discovery is an evidence of any pains taken. We may perplex our thoughts very long, make many conjectures, and pursue them very diligently; yet, if we fail in the discovery all our work vanishes, and there is no more sign of it than if nothing had been done. When these letters came first to my hands, I applied myself diligently to them, laid aside everything else, and studied them very assiduously for above a month; till it was so much beaten into my mind, that I could remember how and where almost every number occurred and could work upon it without my papers. . . . Yet I advanced not one step. Some conjectures proved false and others arose till I was forced to quit the work imperfect, leaving many guesses neither disproved nor confirmed. . . . This must be done after a reasonable time spent; for else an insuperable cypher would hold us in an endless chase to no purpose."

Enclosing a copy of a letter to M. Pelerin in French *in Blencowe's writing, one portion of which is underlined.*

Also, a copy of the same letter, *with the same portion in cypher.*

Also a key to the cypher *in Isaac Bobin's hand.*

Also a letter from Isaac Bobin to [Dr. Chamberlain?], requesting him to propose to Mr. Secretary Harley that pending

his release, he may send the cyphers used by the King of France, (1) the *éclair* or *Fortunatus*, called *éclair* because like the lightning in the Gospel, it is seen from east to west, which is very unusual in cyphers; (2) the *anagram*; and (3) the *chassis*. As for the *passe-volant*, it is only used on special occasions, and it suffices to know the key. If the Secretary does not know it, he will find it very useful, because it is the method probably used by Jesuits and Papists in the heart of this kingdom and perhaps in Ireland too. If the writer may have some paper given him, which he is not able to buy, he can send some acceptable news to the Secretary. Gives further instructions as to the use of the key.

Another key, apparently to the same cypher, is *endorsed by Harley*, "Bobin. Received from Dr. Chamberlain, 1706, June 25."

(There are eleven small folios of cypher in numbers, which are perhaps the letters referred to in the latter part of Blencowe's letter).

LE M[ARQUIS] D'HAUTEFEUILLE to [ROBERT HARLEY].

1706, [June 23-] July 4. [N.S.] Paris.—The importance and perplexity of his affairs are such that he craves a further prolongation of his leave till the end of October. He would rather be at Nottingham than in his present sad condition at Paris, if it were possible to abandon his business. *French.*

SAM SHEPHEARD to [ROBERT HARLEY].

1706, June 24. London.—He has hired a Genoese ship to take 80 tons of New England fish from Lisbon to Bilbao. Asks for her Majesty's pass for her.

E[DMUND] DUMMER to ROBERT HARLEY.

1706, June 24. London.—My letters from Barbadoes and the Leeward Islands intimate collectively the following account of the French designs and descent.

"A *rendezvous* was to have been at Tobago by an united force from France with what they could get from their plantations: but impediments by storms or otherwise seem to have broken those measures entirely; or they suppose at Barbadoes the storm had fallen on that island first.

"The Confederacy is said (from Nevis) to have been made by hiring men-of-war and regular troops of the French King, by a company, in old France; and the purchase upon the adventure was to have been divided, three parts to the said company, and one part to the Governor of Martinico, and to the sloops and brigantines he could engage. But it is conceived that the force expected from France not coming duly to the *rendezvous*, the Confederate brigantines and sloops grew impatient; and themselves with the Marquis de Chavagnac commanding six ships of

force, and those embarcations being about twenty-four in number, made the first descent on St. Christopher's, where they stayed but six days and retired with precipitation, it is believed, upon the advice that Monsieur d'Ibervile was arrived at Martinico.

"The second descent was made on Nevis by Monsieur d'Ibervile, joined with Chavagnac, making sixteen sail of men-of-war; and the number of sloops and brigantines made them up to about 50 sail. They believe at Barbadoes that Monsieur d'Ibervile touched also at Tobago, as they say Du Cass with fourteen or fifteen sail of ships has done two months after him; their spy-boat at Barbadoes coming in sight of him the 6th of April standing to Martinico.

"The prisoners at Antegoa do say this last squadron is Du Cass, and therefore they are afraid both at Antegoa and Montserrat of a third descent. But from St. Christopher's they seem to think that, the purchase of Nevis being great, they are separated and some gone leeward and others to windward, and that most of the negroes are sent to the Spaniards. But there are others of opinion that Du Cass, with what force he finds at Martinico, is to go and join six men-of-war at Petit Guavas and thence to make a descent on Jamaica; for, as they calculate all this force, if none be returned to Europe, the enemy will have in those parts thirty good ships, some of them 68 or 70 guns, and may have ten or twelve thousand landmen to carry on that enterprise." *Signed.*

ROBERT BLACKBURNE to ROBERT HARLEY.

1706, June. Three short letters dated the 6th, the 14th, and the 29th, praying him to take notice of his petitions, and to intercede for him with the Queen, when a review is taken of his case and those of the other prisoners with him.

REDMOND JOYE to ROBERT HARLEY.

1706, June 29.—Is very sorry if he has done anything to displease the Government. His confinement is, no doubt, welcome news to all the Popish party in England and Ireland, and all the disaffected party, who would tear him from limb to limb if ever they got him abroad. If he is now to be destroyed it will be a *caveat* to any other hereafter not to serve the Government. He is in a miserable condition, and prays to be admitted to go into the army and to earn his bread by his sword.

JAMES BOUCHER to ROBERT HARLEY.

1706, June 30.—Not being in a condition to bear the expense of a pardon, he prays Harley to use his interest on that behalf, that he may be included within the compass of her Majesty's charity as well as mercy. His intent in coming home was only to serve the Queen and the Government.

WILLIAM CARRILL to ROBERT HARLEY.

[1706, before July ?]—Hopes that Harley's promises to release him are not forgotten and protests his innocence, and his readiness to comply with anything enjoined upon him.

WILLIAM, *alias* ALPHONSO CARRILL to THE SAME.

A longer letter to the same effect. Written in Newgate.

MONS. BLANZAC to [ROBERT HARLEY].

1706, July [4-]15. [N.S.] Paris.—He has received Harley's letter, telling him that the Queen will no longer give leave to French officers, nor prolong their absence, since the Duke of Marlborough's request for leave for the Marquis de Vaubonnes had been refused. But a few days ago he informed the Duke that the King had granted leave to the Marquis, whom his Majesty regarded not as a prisoner of war but as a person under his displeasure. He prays, therefore, that his correspondent will use his influence with the Queen to obtain a prolongation of his leave. *French.*

BENJAMIN ARNALL.—Petition to Sir Charles Hedges.

1706, July 7. (*Received.*)—Was convicted of felony and burglary and sentenced to death. Prays to be transported into her Majesty's service beyond the seas.

DR. GEORGE BRAMSTON to [ROBERT HARLEY].

1706, July 10. Doctors' Commons.—The Swedish ship *St. Peter*, Martin Lytens master, on her way to Rouen, with a pass "not agreeable to the treaty and her Majesty's last instructions," was taken by Captain Lapsford, of her Majesty's ship *Postilion*, and sent into Yarmouth. If anyone now applies for her release, it will be ordered.

WILLIAM HARVEY to ROBERT HARLEY.

1706, July 11. Chigwell.—Reminding him to insert his (the writer's) address for the Corporation of Appleby amongst the rest in the Thursday's *Gazette*.

WILLIAM CARRILL to ROBERT HARLEY.

1706, July 11. Newgate.—Having received notice from Mr. Lewis that Harley intends to send him out of the Kingdom within a week, he prays that in consideration of his old age and weak constitution he may be allowed a little time at liberty to recover his health. *Signed. Endorsed by Harley,* "Received July 12. Redmond Joy, Ire[land]."

M. DE SAULVEBŒUF to [ROBERT HARLEY].

1706, July 13-24. Lichfield.—Hearing that his regiment has taken prisoner Colonel "Roucelle" at the siege of Barcelona, and that endeavours will be made in France to exchange him for himself, if the English Court consents, he prays that his correspondent will do this agreeable service both to "Roucelle" and to himself. *French.*

WILLIAM BORRETT to RICHARD WARRE.

1706, July 15. Inner Temple.—"The allowance made to such as remain in Town to give evidence on her Majesty's behalf must be considered upon the person's affidavit of expenses or loss of time. My Lord Treasurer will order payment upon Mr. Secretary's speaking to him, what he thinks fit to be allowed; but I do not think it convenient or warrantable to allow anything to any evidence until after trial."

UNION WITH SCOTLAND.

1706, July 22.—"The Articles of the treaty for an Union between England and Scotland, agreed on by the Commissioners of both kingdoms on the Twenty-second of July, 1706.

"The Act of Parliament passed in the Parliament of Scotland for ratifying the said Articles with amendments.

"The Act of Parliament also passed there for securing the Protestant religion and Presbyterian Church government in that kingdom."

Printed Copy with marginal abstracts of the Articles in Harley's handwriting.

CAPTAIN RICHARD LONG to ROBERT HARLEY.

1706, July 27.—He has seen Lord Pembroke, who received him with "as much courtesy as could be expected from a man of his quality," and promised to join his good word with Harley's in forwarding Long's petition to her Majesty.

ALGERNON, EARL OF ESSEX.

1706, July 28. Windsor.—Royal Warrant to Algernon, Earl of Essex, appointing him to the command of the present expedition "in case of the death or other accident that may happen" to Richard, Earl Rivers, General of the expedition, and to Thomas Erle, Lieutenant-General of the same. *Sign Manual, but not countersigned by a Minister.*

CAPTAIN GEORGE WALKER to [ROBERT HARLEY].

1706, July 31. Nottingham.—Brigadier Jolly told me this morning he would write to you by this post to beg you to speak

to her Majesty for prolongation of leave to stay in Nottingham, because this air agrees with him better than that of Lichfield: besides, he has the convenience of Marshal Tallard's surgeon, of which I assure you he has occasion.

You told me I should have notice if Monsieur Silly had longer leave than for a month. I hear he has obtained the Queen's leave to go to France. I hope I stand excused for not acquainting you precisely when the month was expired.

Information and Proposals of Captain Dancart.

1706, August 2. (*Received.*)—In the last war there were several gentlemen of Ostend—Mr. Rechter Bowens, Judge of the Admiralty, Mr. Maes, Advocate and one of the Council of the Admiralty, Mr. Vanden Heyden, merchant, and Mr. Potter, merchant,—who kept a strict correspondence with the following persons of Dunkirk, Messrs. Pless, Allardt and Robyn,—and sent several commissions and letters of marque for several ships of the aforesaid gentlemen; which ships sailed with both Spanish and French orders that they might escape capture by the English and Dutch. Wherefore it may be of advantage to the English to procure those gentlemen to be removed from their posts, that the like disorders may not be committed for the future, nor any further correspondence between them and the French be of detriment to the English nation.

It is now about nine months since I was clapped up a prisoner at Dunkirk, where I saw Mons. Bara, who was in for debt and taken just as he arrived from England with letters from Mons. Tallard, and was confined for two days; after which, having sent to Count Lemon, Governor of Dunkirk, he came to him in the prison, where Bara showed him some letters from Mons. Tallard, directed to the French King, upon which he discharged him out of prison, and showed him all the marks of extraordinary friendship. About three weeks afterward Bara bought an English sloop at Dunkirk, and hired eight or nine men to go over with him to England, and sailed three or four days afterward and returned bringing over letters from Mr. Tallard, as I was informed by some of the seamen that were then on the sloop, and have since sailed with me.

My lieutenant and master, Jean Houderin and Dominic du Pont, have several times been over with the English wherry belonging to the Commissary of Calais, Mr. Châteauneuf, which they themselves have often confirmed to me. Wherefore I desire that you would send for them up, who would then discover to whom they delivered those letters.

Dunkirk may be bombarded or taken with no more than six fire-ships and some bomb-ketches, if I may be permitted to command one of the fire-ships and guide the fleet; the only obstacle being two wooden castles. When these are burnt the town may easily be taken.

With ten or twelve ships of thirty or forty guns each, the Dunkirk "capers," which are fitted out against the Dutch,

Muscovite and Eastland fleets, could be destroyed without difficulty.

Informant is well acquainted with the coast between Dunkirk and Dieppe, and offers his services for a descent. Being recommended by Sir Cloudesley Shovell and Sir David Mitchell, he would be glad of an opportunity for his wife and children to come over to England. He dares not return home, as some of his fellow-prisoners have betrayed his designs there, and prays for a speedy resolution thereupon that he may not be reduced to extremities. *Signed.*

JOHN HENRY HUGUETAN.

1706, August 3. (*Received.*)—Memorial concerning the demands made upon him by Peter Fabrot for payment of bills of exchange and the agreement to which they came; in spite of which agreement Fabrot has petitioned the Lord Keeper for a commission of bankrupt against him, and he himself has petitioned the same to be heard before commission be awarded against him. Stating the reasons why no commission should be awarded.

SIEUR DE ST. ELOY, of Sunbury, Middlesex.—Memorial.

1706, August 8. (*Received.*)—Is so displeased at the ill success of the levying of French regiments, that though he had designed to serve no longer, yet if her Majesty will grant him a commission to raise a French regiment he will muster more men than there are in three of the regiments lately embarked. Should he fail he submits himself to her Majesty's displeasure. *French.*

SIR C[LOUDESLEY] SHOVELL to SIR CHARLES HEDGES.

1706, August 14. *Britannia*, in Torbay.—Yesterday, off the Deadman, we were joined by the Dutch transports. This morning the wind came to S.S.W., blowing hard, with thick hazy weather, which obliged us to put in here; "for keeping the sea in such bad weather would not only have been very injurious to the horses, but would have occasioned the disabling or losing company of some of the transports. I cannot forbear being concerned that the Dutch did not send one frigate to keep their transports under some regulation; for their commanders, being all of equal power, not one of them having any superiority over another, it will be a very great difficulty to make them understand our signals and sailing instructions." Our coming in here will enable us to complete the watering of the Dutch transports.

It continues to blow fresh at S.S.W., thick, misty weather; but we shall take the first opportunity to proceed. *Copy.*

THE UNION WITH SCOTLAND.

1706, August 15. Edinburgh.—Pamphlet criticizing the terms of the Treaty of Union, as agreed upon by the Commissioners, expressing surprise that the dissenters in England regard them

so favourably, and exhorting them to unite for the purpose of securing the established religion in Scotland in the event of an Union.

Endorsed by Harley—" August 29, 1706—Goldsmith " [*in Greek characters.*]

(This is clearly the manuscript referred to in the Fifteenth Report, Appendix, part IV, of the Hist. MSS. Commission [*i.e.* Harley Papers, vol. ii,] *p.* 323, Goldsmith being an alias of De Foe. It extends to 36 pages, and remarkable passages in it are underlined.)

SIR EDWARD NORTHEY (Attorney-General) to ROBERT HARLEY.

1706, August 15.—You having signified to me by your letter of the 14th instant that Mr. Butler, now a prisoner in Newgate, in execution for a fine of 100*l.*, has been represented as a proper object of the Queen's grace, his relations having offered security that upon his discharge he should leave her Majesty's dominions and not return without licence, " I am of opinion a voluntary recognizance entered into by himself and his relations, with such condition, will be good in law, but to prevent reflection I propose that the condition of the recognizance be introduced with a recital of the state of his case and of the application and proposal made by him and his relations " as above.

Endorsed by Harley—" Cockpit. Read January 11th, 1706-7. Agreed."

CAPT. RICHARD LONG to ROBERT HARLEY.

1706, August 16.—When before the Duke of Shrewsbury, he told him plainly he came a prisoner from France, and money was scarce with him. Is to be paid off as master of a fifth rate, whilst the carpenter of the ship is to get a third rate's pay. He hopes now " to join with some friends in building a little sloop that is a runner, and go into the Gulf of Darien," where his friends, the Indians, will give him intelligence how the gold mines are fortified. He believes there is much gold near the coast, which, if known by, is not worked upon by the Spaniards. He is satisfied that if he had had the same power that Admiral Whetstone had, he would have done the nation far greater service. He was with Whetstone in May, 1704, " and urged him to go down upon the shoals of Tertogos upon Florida, to wait for five ships expected from Lever de Crux [Vera Cruz], which undoubtedly were rich." Captain Allen of the *Montagu* was then present. " Many admirals are so greedy about their honour, possessing themselves they have some singular parts above other men or else they could not come to that greatness, and let kings and queens, who employ them, and their fellow subjects suffer rather than it should be known they take advice from a person so inferior as a master of a hulk, or a man of my capacity, fearing it might rob them of part of their honour." He does not doubt that Captain Allen will do him justice, as he promised to let the Prince know that it was owing to Long's good conduct and pilotage in

bringing the *Montagu* out over a difficult place in a dark rainy night, that the French man-of-war was taken. Whetstone owned as much at Jamaica, but refused to let Long share in the prize money, saying "the Queen in her proclamation made no provision for pilots, and was so ungrateful [that he] never made me any present."

[CHRISTOPHER, LORD] SLANE to [ROBERT HARLEY].

1706, August 20. Sunning-hill.—Protesting his zeal for the Queen and the Protestant religion, and praying him to request the Lord Treasurer for the arrears of his pay for service in Portugal. He has received only 100*l.*, and asks for 150*l.* more to pay his debts and keep him out of gaol, until her Majesty is pleased to provide for him otherwise.

G[EORGE] GRANVILLE to [ROBERT HARLEY].

1706, August 24. Northend.—"I am desired by Lady Hyde to recommend the enclosed case to her cousin Robin, whose good nature she says she has heard me answer for so often that she hopes I will procure her a proof of it. It seems the mother of the poor women accused was formerly some sort of dependent upon her family, which is the occasion of her concern. What is desired is the Queen's pardon, to put an end to all further trouble. I take it for granted you can deny nothing to so fair a petitioner, and therefore have ventured to encourage her to expect whatever may be in your power upon this occasion. . . ."

Enclosure—

A statement of the case of Sarah and Elizabeth Poole, charged with robbery and imprisoned under a warrant for some months, though no one had appeared to prosecute them; the alleged reason for this treatment being that Sarah Poole had refused to make a certain charge, at the instigation of Mrs. Soley, niece to Mr. Chancellor Walmisley, of Lichfield, against Parson Baker, with whom Walmisley had a difference; and Baker, having notice of this, had cited her to give evidence of the intended subornation at a Commission from the High Court of Delegates, held in the Cathedral Church of Lichfield, in which town the Pooles "remained in public, and nothing charged against them of two years' time." But in 1703, one Jane Manser, with whom, about five years ago, they lodged in Whitechapel, by the instigation of some persons who were alarmed at Sarah Poole's evidence, brought an indictment at Hickshall against both the Pooles for theft; they knowing nothing of the prosecution until a warrant was obtained in October from Lord Chief Justice Holt. And one Buckeridge, a proctor under Walmisley, came with the constable to see the warrant executed. So they were in prison eleven months, till discharged at the assize of gaol delivery. But, meanwhile, they were outlawed at Hickshall, and in May, 1706, again apprehended by the said warrant. (Note, that Manser

has been dead a year and a half, and was always known to be crazed in her understanding). The said Buckeridge brought a *habeas corpus* to the Sheriff of Lichfield to have them removed to London, notwithstanding a general gaol delivery will soon be held at Lichfield. Whether W[almisley] is not the chief author of the above, let any unbiassed person judge. Moreover the best persons and most in Lichfield are willing to certify that the prosecution was malicious.

Also a similar case, *dated* 1706, September 18th, in which it is acknowledged that they had taken "some trifling goods" of Manser's, and pawned them, to relieve their necessities.

[William Paterson to Robert Harley.]

1706, August 25. Windsor.—"I transmitted my Lord Treasurer yesterday a paper, whereof the enclosed is a copy. If he knew the consequence of these matters he could not have delayed it so long, and it was not my business so much as that of the Commissioners of both kingdoms to press that I or somebody who understands those things better should be sent down and have them in charge. The worst is, I am afraid that for want of time to turn ourselves we should be surprised into something or other of no good, or perhaps of ill consequence. If I do go, I had rather die as not come through it with reputation; and . . . did I not know both the men and the things in the manner I do, I should not concern myself nor hazard; and not for want of courage neither, but because I see those great things before they are done are either not at all understood or reckoned impossible; and when they are done, are reckoned too great for little men to have a share in; which makes me desirous for the rest of my days to concern myself only with men and things I can deal with; especially, unless I can have another kind of countenance and support from those in power than I have had for fifteen years past, being the time when I began to promote the Bank.

"Lord Somers and the rest of my friends desire me to speak to you to move in this matter, not only with regard to my being enabled to do the public services in Scotland, but everywhere, according to my ability, and that it is impossible but my Lord Treasurer and you, who are looked upon to be my particular friends, must, from the sense of what I have done formerly as well as on this great occasion of the Union, have determined so to represent me to the Queen as that I should be effectually encouraged and supported in my public designs; and that if this is not done it will be understood to be for want of affection to the Union, to me or both, and the doing of it speedily will be more than twice doing afterward.

"I find you cannot be neutral in this case, since the least coldness will by some people of consideration be understood to be want of affection; and I must say I am sorry to have occasion to represent anything relating to myself to my Lord or you. . . . If you had taken care of me four years ago I could have

contributed to have made both some men and things easy, some whereof have been, and others are like to be otherwise. However, I shall . . . endeavour to forget past things and look forward especially on so great an occasion as this, when if things are done handsomely and cheerfully, I shall think them worth paying for."

MONS. LE MOYNE [DE BRIE] to MADAME ————.

1706, August 27.—Praying her to deliver the enclosed letter to Mr. Secretary Harley, in which he asks for his discharge "*au tribunal* att the old bailly," at the session beginning the next day; also to write or speak on his behalf. *French.*

BARTHOLOMEW VIRGILLE to JEZREEL JONES, in Titchfield Street.

1706, September 6. London.—"The 29th of May, 1706, N.S., the two governors of Santa Crux, having received advice that the city of Terudant was taken by the King of Morocco's forces, and all put to the sword, they immediately send for the officers of the garrison and the chief men of the place and acquainted them therewith, telling them how they were to expect the same treatment if taken; that as for themselves they were resolved to escape their heads in running away, and that all the people would do well to do the same; upon which, in about an hour's time the town was deserted in the greatest confusion that ever was seen, one of the above governors, Elkayde Abdella Sairon, being killed by some of the garrison in his way to the seaside where he was going with a design to embark upon a small vessel he had ready fitted for that purpose.

"As to the Christian merchants then residing there, all the English and I, we got, through great hazard, well on board the *John* galley (Captain Thomas Bradley), whom we had by entreatment and prayers detained there about four or five days for that purpose." After that, at about five or six o'clock in the evening, came two boats with twenty or twenty-two renegadoes, amongst whom five or six Englishmen, and about half an hour after "came two other boats, with their wives and children, as also seven or eight seamen of the governor's vessel, which they abandoned, seeing the governor dead. All was then received on board. The said seamen was not sooner on board than they returned with their own boat to their vessel, out of which they brought some clothes; some of the said seamen, being gone on board of two French ships then in the bay, when they returned, without the captain's knowledge, with the rest of the seamen got into their boat with all their clothes and some of the renegadoes, and went on board the French ships, which made us suspect they had been invited by the Frenchmen.

"Notwithstanding, Captain Bradley said he would not carry any women or children, and accordingly next morning he declared to them that he was going for Canaries and could not carry them; that if they was afraid to be murdered at the seaside he would

put them any place upon the coast of Barbary; in answer to which, after a little consideration, they all cried out that they would not go on shore to have their heads cut off: choosing rather, (if the captain would not carry them off), to be thrown overboard and be drowned. At the same time the two French ships, having sent their boat on board of Captain Bradley with the captain of the governor's vessel to persuade the renegadoes to leave our ship and go on board of the French, Captain Bradley, seeing the danger he was to be taken by the said two French ships (who had commissions and certainly a design upon him) resolved to carry the renegadoes according to their desire. Anyone would have done as much to save his ship and cargo; for notwithstanding, with the said renegadoes, Captain Bradley was so strong in men as the two French ships, a quarter of an hour after we got under sail (at 9 o'clock in the evening), the two French ships pursued us till 2 o'clock in the morning. Having got clear of them we made the best of our way for Canaries, where we arrived at the Island of Teneriffe the 3rd of July, N.S. There, at the port of Orotava, most of the renegadoes with all the women and children was landed by their own desire. They are maintained there by the charity of the people of the island; for to my best knowledge all that they brought, either in clothes or money, was not worth a hundred pieces of eight, being most of them come on board naked."

Postscript.—I desire you to acquaint the Secretary of State with this, and to procure me a pass to go over to Holland.

Samuel Buckley to Robert Harley.

1706, September 6.—"In obedience to your commands I have left at your office the States' letter to the Emperor in Latin, Mr. Stepney's speech to the Emperor, and Prince Ragotski's letter to the States in French, as they were sent me from Holland. I am very sorry any offence has been taken at my inserting translations of them in the [*Daily*] *Courant*, because I humbly beg leave to assure you I am wholly innocent of any ill intention in doing it. This being true, I hope a gentleman in your station, and of your candour, will take it for the best excuse that could be offered."

Christopher, Lord Slane to [Robert Harley.]

1706, September 7.—Praying for an opportunity of displaying his fidelity, having been out of employment for eight months.

Enclosing memorial, setting forth his services in Ireland before the Revolution, and in Portugal as Lieutenant-general of Horse, for which he left the French service, and had brought over upwards of 250 of the Queen's subjects from the enemy; and desiring to be sent to Ireland to raise a corps for service in Spain, "which will enable him to break all the Irish troops that are now in the enemy's service." Refers himself to Lord Galway's and Ambassador Methuen's certificates.

LIEUT. GEN. THOMAS ERLE to ROBERT HARLEY.

1706, September 10. Torbay.—Acquainting him that Colonel Soames is dead and that Lord Rivers has given his post to Brevet-Colonel Watkins, upon the writer's recommendation. His Lordship designs Major Mundy for the lieutenant-colonelcy, and will fill up the other vacancies as shall seem fit.

WILLIAM BUTLER to ROBERT HARLEY.

1706, September 13. Newgate.—I pray to know if you have received my letter proposing such security as I can get. I have "long lain in a dungeon to make a conveniency for Mr. Joy, an Irishman, and one who is committed by Justice Smith for putting tricks upon your honour; as he daily makes his boast how many guineas he has got by it and has some of them hid to do good withal yet, if he gets his liberty. Indeed, he daily speaks such dangerous words as are not fit for honest men to hear; and such as are of treasonable signification and consequence, as your honour may be better satisfied from better hands . . . ; for the truth is, there is nobody in this place so much respected as *high Jacks*. . . . He is, contrary to law, laid on the debtors' side in the room [that] has always been the place for fines, but because your honour has had some intimation of illegal practices here, they have suffered extremely for it, and such worthy persons as Mr. Joy and others of his sort are accommodated with their lodging, and they laid in a dungeon."

JOSHUA NIBLETT to BENJAMIN WATERHOUSE, at the General Post Office.

1706, September 14. Rye.—On Friday, August 30th, about 5 p.m., and after a chase of eight or nine hours, the Ostend paeket boat was captured off the Maze of Holland by a French privateer, the *Dolphin* of Dunkirk, of six guns, four pattareroes, and fifty-nine men. She was recaptured and the privateer also taken on Sunday the 1st inst., by three Zeeland privateers. The Dutch took Captain Haselwood and myself, with eight more of us, sailors and passengers, from on board the French ship, and, after consultation, sent Captain Haselwood on board the packet, but kept myself and the others, and yesterday put us on shore at Dungeness. On Thursday, the 5th, they ordered the packet to make the best of her way for Flushing, but would not consent to put us on board her—perhaps for fear that we should overpower them and take her to some other place.

E[DMUND] DUMMER to ROBERT HARLEY.

1706, September 16. London.—Giving an account of the course of the last two packet-boats to the West Indies, the *King William* and the *Frankland*. The letter ends, "all things seem quiet in the West Indies." *Signed.*

SAMUEL ROGERS to ROBERT HARLEY.

1706, September 18.—Is informed that the case of one Wildish, sentenced to die the next day at Maidstone, has been referred by the Queen to the Lord Chief Justice, who is now at Chelmsford. Should he go there it is uncertain whether his Lordship will not have gone to Hertford, where the assizes are to be held the next day, and the execution is to be at 11 o'clock. He prays therefore for advice.

CHRISTOPHER, LORD SLANE to [ROBERT HARLEY].

1706, September 21.—" Now that God has blessed us with our late great success in Italy, and that in all probability most of the troops there, and particularly the Irish, will be drawn towards Flanders, where the Duke of Vandosme commands, who is always very fond of having the troops of that nation serve with him," I pray that I may have a post in that country, for I am " weary of being idle at this time of action abroad."
Enclosing memorial.

BRIG. GEN. J[OHN] SHRIMPTON to [ROBERT HARLEY].

1706, September 22. Torbay.—Thanking him for his past assistance, and requesting that he may be confirmed in the rank of major-general, which he received while Governor of Gibraltar from the King of Spain, in recognition of his successful sally from that place. But this rank was objected to in England because Farrington, Mordant and Lord Mountjoy are older brigadiers than himself, " and may very likely be to the end of my life, if they stay always at home and I go abroad." Meantime Lord Raby and Mr. Harvey have been promoted over his head. If he may not have the rank of major-general he desires that he may at least act as such in Spain, where he will " be out of countenance to appear less."

SCOTLAND.

1706, September. (*Received.*)—Form of engagement by the minister, elders, deacons and other professors of religion in a Scotch parish, to resist any articles in the proposed Union which may tend to " popery, heresy, error, prelacy, atheism, schismatism or profanity."

NATHAN WILLCOCKS to ROBERT HARLEY.

[1706, September ?]—Complaining of the abusive and violent behaviour of Hayes, a prisoner in his custody, towards his wife and maid, and of threats of vengeance against himself when he remonstrated. " I cannot tell what makes him so, except it is for my being too civil to him; and he has been very uneasy above this week, and wonders your honour keeps him so long in custody."

MATTHEW COUDELL to ROBERT HARLEY.

[1706, September ?]—I formerly proposed a sure way to bring most of the Irish troops in France to the service of the Queen or her allies. Now, after the defeat of the French army in Italy and the consternation they are in, this is the best time: especially when the States of Flanders are forming 30 battalions, they will be very pleased to have a body of Irish amongst them, as formerly they had. Not only those in the Irish corps in France will desert to us, but likewise those that are dispersed amongst the French troops, and other natives and foreigners in that service will now follow their example. I pray that you will provide for my subsistence till you find a convenient time to employ me in the service.

REDMOND JOYE to ROBERT HARLEY.

1706, October 3.—Is worn out with sickness and starvation and prays for a physician, reminding him that "vengeance belongs to God."

Enclosed is a certificate of his sickness, of the same date, signed by twenty-seven prisoners in the common side of Newgate.

[The DUKE OF HAMILTON to GAWEN MASON ?]*

1706, October 15. Holyrood House.—"We are proceeding on the great affair of the Union; the Commission and the first Article was read in the House this day for information. Nothing is yet done in it, but the debate ran whether we should come to the present consideration of it, or, for the weighty importance of the matter, we who had not the advantage of knowing so much of it as the treaters did, should have a week's time to consider and compare the minutes of the proceedings with the Articles, which was carried in the negative, so things are to be carried on with a jerk indeed. I am persuaded it is not for the interest of the Union to have it in this manner, but new converts are always the fullest of zeal, and the Squadron hope that way to claim pre-eminent merit. I shall say no more now, but wish that we may not make more haste than good speed, for what ought to be lasting should be well digested for the good of both nations. Adieu. *Copy, by E. Lewis.*

[THE SAME to the SAME.]

1706, October 17. Holyrood House.—"We have been reading the rest of the Articles this day in the House, and the hurry of precipitating that matter, as I told you in my last, made what was said this day upon the subject very unprepared matter. We have read the Articles and the minutes thereto. The length of the nine Articles we are to sit upon on Saturday again.

* Perhaps to Robert Harley. Cf. letter in vol. II. of Report on the Harley Papers, where the expression "honest Mason" is used.

" The more this matter is looked into the less it is understood. Time only can tell what will be the fate of it, though the vote of *proceed* makes them very confident; but I must still think the unreasonable pressing of the weighty affair is not the best way to advance it. . . . I am weary and can add no more now, so, honest Mason, adieu.

" I have blamed Symer for not writing more at length than I can in the hurry I am in." *Copy, by E. Lewis.*

[News Letter ?]

[1706,] October 19.—" A letter from Edinburgh about business gives the following account of the proceedings of the Parliament there.

" As to our Union, before the Commissioners came hither there appeared an universal prejudice against an incorporate one, but after their arrival and better information it gained a better impression on the minds of many; but still the Abjuration Oath frights one party and the Sacramental Test another, and the many and great reservations to the Parliament of Great Britain, particularly of altering private rights for the utility of Scotland, as well as the regulation and alteration of the judicatories, make some think that thereby all may be brought under its cognizance.

" The first day the Treaty was read, and it with the minutes and commissions ordained to be printed.

" The second *sederunt* was employed upon the debate if Bruce of Broomhall should be admitted as Earl of Kincardine or delayed until the competition betwixt him and Lady Mary Bruce of Ochiltree, in whose favour the late Earl, her brother, had resigned the honours, should be discussed; and it was carried by a majority of fifteen votes that he should be admitted.

" The third day, being Saturday, there was a long debate if the treaty should be read again or delayed until the absent members were come; and it was agreed it should only be read that day, and spoken to if any inclined, but no part of it voted, which accordingly was done. And it being moved that a fast should be appointed . . . a long debate ensued if there should be a fast or thanksgiving or both, or if it should be delayed until the sentiments of the commission of the Church, who had it under their consideration, were known; and the last was carried without a vote. There were some heats between Duke Hamilton and Salton, on one side, and the Lord Chancellor and Lord Stair on the other, and then Parliament adjourned till Tuesday.

" Another letter from Scotland . . . says that the burgesses for boroughs would be generally for it (the treaty), and that many of late were proselyted to it, and that there was hopes of gaining some great ones who were formerly against it, and that Duke Hamilton had not so great interest and credit as formerly, having disobliged the Presbyterians by being for an indulgence (1703) of the Episcopal Clergy, and last sessions for the Queen's nomination of the Commissioners.

" Sir Patrick Johnston, one of the Commissioners, writes to me that he has daily more grounds of hope that the treaty will be ratified by this session.

" The D[uke] of Hamilton waited on the Commissioner that morning the Parliament first met, and told him he designed to sup with him at night; but in returning from the House he fell flat on his face in coming out of his coach, which occasioned his not doing it.

" The Marquis of Tweedale and Earl of Rothes went in the Commissioner's coach with him to the House the first day. The Marquis of Annandale neither waited in private on the Commissioner nor made his bow to him on the throne, when he took his place, which all do.

" The *Flying Post* this day, in the paragraph from Alicante, has the abstract of Dr. Friend's, Mr. Farley's, and Peterborough's letters; and particularly that of Peterborough's being against fighting when all the council of war, being forty-five, were for it, and of his having told King Charles that King William came in a hackney coach into London with a few dragoons at the Revolution. The original letters had a post calesh, which he calls a hackney coach."

W. Carstares to Robert Harley.

1706, October 24. Edinburgh.—I return " my humble acknowledgments of the great favour you have done me in honouring me with your thoughts of the important affair of the Union of the two kingdoms; and, indeed, you have, in few words but with great strength of argument, made it plain that it is of the highest consequence as to the interest of this nation in particular as well as the peace of the island in general that this opportunity of adjusting this great affair should not be lost, and I cannot but say that those of this nation that signed the treaty are much concerned to have it brought to the desired issue, and I heartily wish it may be so; for though I cannot say that what you write hath changed my mind as to this affair, yet it hath much confirmed me in the sentiments that I have had of it, and I tremble at the thoughts of what may be the consequences of its miscarrying. And though many good men are under fears as to our Church if there should be an Union, yet the desire I have to see our Church secured makes me in love with the Union as the most probable mean to preserve it; and I persuade myself that the Parliament of England will agree to any security that can be reasonably demanded by us for our ecclesiastical constitution; but seeing you allow me to let you know the objections that are made against this great affair, I shall take the liberty to mention one or two as to religious concerns, for as to those that are of another nature I pretend not to make a judgment of them.

" One difficulty, therefore, is that by the Abjuration oath we shall be obliged to maintain the Successor according to the limitations; one of which is that he shall be of the Church of England, which seems to bear hard upon Scotland, where Presby-

tery is the established government of the Church and which is to remain entire after the Union. Another difficulty is the Sacramental Test, which excludes Scotsmen from all offices of trust and profit except they conform to the Church of England, which seems to be inconsistent with the nature of the Union as it is projected, with a reserve of our Church government. These are the objections that many make against the treaty now laid before our Parliament, but I persuade myself that all colour for such scruples will be removed. But besides these scruples it is not to be expressed with what industry and pains some men do labour to possess the minds of well-meaning people with such prejudices against the Union, as if it were destructive to Church and State, as are like to create great difficulties to my Lord Commissioner and the other managers of this great affair, though his Grace hath at present a great majority in the Parliament that falleth in with his measures, and he employs the utmost of his interest for having this great business brought to the desired issue."

Postscript.—"I forgot to let you know that the gentleman to whom you addressed your letter for me is now Sir Samuel McClellan, Lord Provost of Edinburgh."

[William Paterson to Erasmus Lewis.]

1706, [October 24.] Edinburgh.—"The Parliament yesterday named a committee to inspect the matter of the calculation on accompts of the Equivalent, the rise of which hath been from the misprinting of the papers of accompts in the minutes or proceedings of the Lords Commissioners, which hath made a great noise here, though there be nothing material in it save that of neglect, for the original is right.

"The committee are—

For the Lords.—Duke of Argyll, Marquis of Montrose, Marquis of Tweedale.

Barons or Commissioners for Counties.—John Halden [*or* Haldane] of Gleneagle, Sir Alex. Campbell of Cesnock, George Bailey of Gerviswood.

For the Burghs.—Col. John Erskine, Hugh Montgomery, Glasgow, Robert English, Edinburgh.

"They are all of the Union interest; and as all of the actions of the opposite or (to speak more modestly) of the doubtful party have hitherto turned to the advantage of the Union, so by this they shew they have no party, nor among the Lords, gentlemen, nor boroughs. And though this committee have no great matter to do in the Equivalent, yet they may do considerable service in other things to be referred to them.

"Last night the angry men made an effort by a mob; but that hath succeeded as little as any of their former attempts, since they are totally defeated by only about 150 regular troops, about twelve o'clock at night admitted into this city by order of the Government and consent or concurrence of the magistrates. They, . . . with the ordinary guards and Militia of the town, suppressed the mob before six in the morning.

" To-day there are so many troops admitted into and drawn about the town as to secure it against future attempts. Blessed be God, there hath not been any blood shed, though some, they say, are hurt and one of the town guards in danger of his life.

" This day the Privy Council met and issued a severe proclamation, . . . and appointed a committee to examine those who are or shall be taken for this riot and to order their prosecution. This will be laid before the Parliament to-morrow, who doubtless will be warm and nice in suppressing this or the like disorders.

" All these things will but serve to cement the Union interest, and to leave no body of consequence against it, but a poor troop of naked Jacobites and a few discontented statesmen at the head of them. After all the tedious and ill-found scruples they make, I hope the Union will be carried by near, if not quite, two to one; after which the perverted rabble will have time and means to be convinced of their error.

" Many scruples have been raised here about the taxes, duties and impositions, and the course trade may take after the Union; but so ill-founded as that they have and doubtless will fall to the shame of their promoters after the matters of fact shall come to be rightly stated."

Pray communicate the contents to Mr. Secretary.

Erasmus Lewis to Robert Harley.

1706, October 26. Whitehall.—" Mr. Secretary Hedges sent orders last night to my Lord Raby to tell the Polish minister that it was her Majesty's desire King Augustus should not suffer any of his troops to march through the territories of the King of Prussia; for if they did her Majesty was obliged not only to send back the Prussian troops but to give his Prussian Majesty further assistance.

" Last post brought no letter from Holyrood House. You see by the enclosed how well Special has acquitted himself of his commission."

[News Letter ?]

[1706,] October 26.—" On the 19th the Scots Parliament considered the 9th, 10th, 11th, 12th, 13th, 14th and 15th Articles without much opposition; only Duke Hamilton and Mr. Fletcher insisted long to have some calculators without doors to examine the calculation of the Equivalent, and it was said by others that that was unprecedented, but that a Committee of the members of the House might be appointed for it. This was put off till the next *sederunt*, and the House adjourned to the 22nd.

" Many new members are come to Edinburgh, and it is believed that about the end of next week they may come to the question, *approve or not*, either of each, or of the Articles in general. It is thought that the treaty will be ratified as it is adjusted, without any amendments except they be very necessary.

" The Lord Duffus, to whom the Queen gave a man-of-war when at Newmarket, has taken his place in Parliament. He has two brothers members; one for Caithness, newly chosen, and another for Elgin; their surname is Sutherland.

" Mr. Spanheim's credentials are for his having the character of Ambassador in this Court as long as the Lord Raby has the same at Berlin.

" Floyd, late paymaster to the Queen's works, is succeeded in that place by Dartiquinnave, having long been in the Lord Treasurer's view. Lowen, who killed Floyd, was executed yesterday at Turnham Green, to be hanged in chains. He said he was born of an English father and German mother at Hanover; that his father was huntsman to the Duke of Zell, and himself educated at the Duke's expenses in his exercises in France; and since an equerry to the Duke. He died penitently reconciled to his own and Mr. Floyd's wife, declaring his wife's innocency, though he had killed Floyd from jealousy because Mr. Crusins, chaplain to Prince George, had made him believe that his wife was married to Mr. Floyd, her cousin's husband.

" The Whigs are confident of their friends' elections in Cornwall, Lancashire and Yorkshire; and they are as confident that a certain gentleman worth 12,000*l.* a year shall neither be chosen in the town nor county where his interest is.

" There is a severe critic published by way of letter to Dr. Francis Atterbury on his doctrine in his funeral sermon on Mr. Bennet, charging it as false, pernicious and foreign to the intention of the Apostle Paul in his text. It is done so well that it is worth reading.

" There is a pamphlet printed here called '*A Marriage betwixt Brutus and Fergus.*'

" Some say that Prior has made a convert of Hanmore and that Mr. Bromley and some others are well disposed and may be had on easy and reasonable terms if they could know what to trust to and that they would not be exposed.

" Dr. Hutton is in Holland.

" Some say that Marlborough is for having Prince Eugene's being Governor of the Spanish Netherlands.

" Lord Bradford is very weak and can eat nothing but broth.

" The Lord Treasurer was the other day at Windsor. The Duchess of Marlborough is come to the lodge there.

" The Lord Justice Clerk, by last post, assures the success of the treaty in that Parliament. There is more gravity and calmness in the Parliament House there than was expected, and more than has been for some years past.

" Mr. Roswell, a young Presbyterian minister, is returned from Scotland, whither he went some months since with another Presbyterian minister, Mr. Taylor, who continues there with Mr. Shut, a councillor of Lincoln's Inn. They were in no deputation, but Mr. Shut being a creature of the Lord Wharton, it is not doubted but his and their charges are defrayed by others. The Presbyterian ministers here would not write as a body, but several of them wrote to those of their acquaintance in Scotland in favour of the Union.

"The Duke of Montague has come to town. The Bishop of Norwich and several other bishops are come hither. Sarum is expected daily."

NAVY LIST.

1706, October 29.—List of the men-of-war at Lisbon and in the Straits to come to Lisbon.

[WILLIAM PATERSON to ERASMUS LEWIS ?*]

1706, October 29.—Edinburgh. "Yesterday and this day the Parliament were taken up in discoursing upon the 18th, 19th, 20th, 21st and 22nd Articles of the treaty, upon which there were several warm things passed, and Mr. Fletcher yesterday and especially this day ran a great risk of undergoing the censure of the House; but upon his submission, it was waved. There was likewise warm things said by my Lord Annandale, which I doubt will do him as little good as it will the treaty or anythings else harm.

The Anti-Union party have joined in a protest about the late riot. "This party, though it be but small and much upon the decline, is as little united in itself as it would have this island to be. In short, as they have the foolishest cause ever was known, they manage accordingly; and serve the interest they are against more effectually by their opposition than they could possibly by their concurrence.

"To-morrow the Parliament meets again, and I hope they will then go through the Articles in this cursory way, so as to be able next meeting to proceed upon them in form; and that in fourteen days the treaty may be confirmed.

"On Thursday we are to have a fast-day by order of the Commission of the Kirk, for the Parliament would not interpose their authority in that matter; and by this we shall see the temper of some people more than we could hitherto.

"The last efforts of the opposite party is to promote addresses from the several counties and boroughs against the Union. . . . No pains is spared to mislead and incense the multitude, which by a great many accidents were in no very good temper before. But doubt not but they will be undeceived in a little time."

[NEWS LETTER ?]

[1706,] October 29. On the 22nd the Parliament of Scotland read and considered the 16th, 17th, 18th and 19th Articles. They finished the first three and referred the further consideration of the 19th till the 23rd. Besides reasoning on the Articles they agreed to appoint a committee of three of each State for examining the calculation of the Equivalent, with liberty to call any without doors to their assistance, and the members of the committee were to be chosen on the 23rd.

* Not in Paterson's hand, but two or three words apparently inserted by him. Endorsed by Lewis.

" On occasion of the Equivalent the Duke of Athol said that it was not reasonable to pay the proprietors of the African Company out of the Customs and Excise of Scotland, as was proposed by the treaty, and he moved that it should be done by the English out of their own money; but he could not get above three to join with him in having his motion marked.

" The M[arquis] of Annandale, who in private conversation says he will be for the Union, does still in public engage himself farther in opposition to it. [He] said that he did think that the African Company could not be dissolved by the Parliament without first citing every member of the Company and hearing them; and that . . . though the treaty were ratified by both Parliaments, yet the African Company ought not to be dissolved till the Equivalent was paid by England.

" On the reasonings about payment of public debts Duke Hamilton said his family could claim much for their sufferings at the Reformation and before the Restoration, whereupon the Justice Clerk said that his family had suffered many years forfeiture for the Reformation, but that he expected no relief for it out of the Custom and Excise of Scotland.

" There is a great majority in the House for the Union, but many without doors are possessed against it, especially the common people, and there is daily a great addition to the mob who follow D[uke] Hamilton's coach from the House through most part of the city crying *Huzzas*, casting up their hats and blessing him as the protector of the nation, and the opposers, failing of all other attempts, cajole the mob.

" The Commission of the General Assembly having refused to address the Parliament for a national fast, which the opposers of the Union solicited, have ordered the several Presbyterians to keep a fast and day of prayer with their people in their several parishes; and this besides what by a former Act they had done only as to the ministers themselves in their respective Presbyteries.

" Councillor Shut has left Scotland and is to be in Yorkshire and Lancashire in his return to promote the elections there in favour of his patrons.

" Captain Cole, one of the oldest captains of the fleet, is knighted.

" Mrs. Collier's mother is dead.

" There is a design on foot to get an address from Ireland against the Union, as injurious to the interest of that kingdom, especially the linen manufacture; but they could not at first determine whether to lay their petition before the Queen and Council, or Commissioners of Trade, or to wait for the session of Parliament.

" The Duchess of Marlborough had visits from Dashwood, Jenkinson and most of her Oxfordshire neighbours except Abingdon, Rochester and Walters.

" Marlborough writ to Tweedale on the death of his son, Lord John Hay.

" Marlborough writ to Mr. Johnston —— came to him about the time that Brigadier Cholmley had got the reversion of

his brother's grant of Strickland's estate. I will not say all I could on this head. Some think that Cholmley's name is made use of in favour of Sir William Strickland.

"Lord Wharton is come to town. . . .

"The letter of credit for Spanheim narrates that the Queen having desired his stay in this juncture, and business having hitherto been managed by Raby and him, it is desired that Raby may be continued there, or something to this purpose."

[News Letter ?]

[1706,] October 31.—On Wednesday, the 23rd, Duke Hamilton in Parliament urged the printing the English book of rates and the English Acts relating to the regulation of trade and some other Acts, which occasioned a long debate of many hours. They that day nominated the committee for examining the calculation of the Equivalent, and allowed Dr. Gregory of Oxon his brother and Mr. Bower, tutor to Dupplin's son, two mathematicians, to assist them, and referred it to the committee to call for or order the printing of any necessary English Acts. The committee consists of Argyll, Montrose, Tweedale, Bailey of Jarviswood, Haddo [Haldane] of Glenagles, Hume or Campbell of Cesnock, Montgomery, Provost of Glasgow, Areskin [Erskine], Governor of Stirling Castle, and one Inglish, a goldsmith in Edinburgh.

"The rabble followed Hamilton to Athol's lodging, and from it to the Queen's house of Holyrood House and made there a great noise, threatening to sacrifice all the dogs who had sold their country. A committee of the Council that night ordered some companies of the foot guards to enter the town, and on Thursday the whole Council of fifty, or thereby, met and ordered the proclamation, and that the Lord Chancellor should next *sederunt* lay the case of the tumult and prisoners before the Parliament, and that the magistrates of Edinburgh should provide the conveniency of guard-houses for the foot guards.

"On Friday the Parliament met, and the Lord Chancellor acquainted the House, and some moved that thanks should be returned to the Privy Council for the care they had taken for the safety of the Parliament and the quiet and peace of the town, and to desire them to continue the same. It was said by some that as containing two heads it could not come under one vote; so it was first voted whether it should be jointly or separately voted, and, it being carried first for jointly and not separately, was carried after by another vote for both. . . .

"The Earl of Errol, constable of the kingdom, entered a protestation that, whereas it belonged to him to secure all without doors, as to the Earl Marshal to do it within doors, and to the magistrates of Edinburgh to secure the town, what was then to be voted might not be drawn into consequence hereafter to his and the others' prejudice, and Earl Marshal joined with him and took instruments thereupon."

——————— to ———————

[1706, October ?]—"Here is nothing but alarms of mobs—five, six, ten and twenty thousand in arms to fight for they know not what. Only 'twas always their unhappiness to oppose their own and the nation's welfare. There are many pretences against the Union, but the chief are despair of the Prince of Wales, after it, who will be excellently qualified between Popery, Episcopacy and Presbytery; the hair-brained madness of the godly party fear the downfall of Presbytery, the danger of the great ones losing the power to oppress the less, and some few merchants who can see they may lose twopence, but cannot discern the pounds they shall get, nor the good of their nation; or, if they did, that weighs with most not so much as twopence in their pocket to spend on ale and snuff, the height of their ambition. The women are as zealous as their men, because they lie fallow, while their countrymen marry so many English women with more money, beauty and sense, and, indeed, 'tis a wonder it is so, since few are well used after they come hither. The pretended reasons against the Union are poverty and slavery, which one would think could hardly be dreaded if true, being improbable to be greater than the miserable poverty and cruel tyranny they already suffer.

"As to the Union, the greatest part of the Parliament seem to be for it, but the spirit of the whole nation is against it. What will be the success cannot easily be foreseen, though it may be shortly determined, but if there were none wiser than I, England would drop it rather than stand the hazard of being refused, and unite with Ireland, which will be much more beneficial, and they court it; and I am certain Scotland will in a few years repent it. But they know not what is their advantage, and, therefore, are never long in a mind. They condemned the late Duke Hamilton because he did not procure an Union at the Revolution, and now they daily threaten the Duke of Queensborough with the loss of his head for proceeding in it. They are always in extremes, and always lose what is for their advantage. They are a people unaccountable, differ from all the world, and if they thought they had not some abroad to be angry at, they would perpetually quarrel at home. They are proud, lazy and envious, and consequently generally ignorant; and because morality (they say) will not carry them to Heaven, they resolve to reject morality and trust to a strong faith, which depends wholly on their will, for they can believe what they have a mind to and never believe what they dislike. The Kirk and the mob are their chief rulers. I shall add no more, but if the Dissenters in England were well acquainted with the Presbyterians of Scotland they would sooner close with Scotch Episcopacy, if not the English, rather than the Kirk."

[The Same to The Same.]

[1706, October ?]—"I have sent you my opinion of the generality of the people's entertainment of the Union, with some observations. They have for some time past been, by designing

men, kindled into a great hatred and malice against England, and they took the occasion from the opposition they met from England in the business of Darien, which . . . yet may be easily justified. The parties most active are some discontented noblemen who fear their reign will be short in oppressing the commonalty, as hitherto they have most shamefully done, their poverty and slavery here being little inferior to that of the negroes in Barbadoes. The next are the Jacobites, who, though not very considerable, trouble the waters that they may the better fish. The third are the Presbyterian ministers, who fear their insolence and infallibility will be in hazard and their stipends in danger, and, therefore, being (*sic*) the worst side of Popery, by humouring the mob they lead them implicitly to their ruin, and tell them from the pulpit, *prayers are not sufficient; they must act.* Others make lectures upon the Articles, and a third gives notice from the pulpit that all the heritors must be in arms to support their friends who will join them within the week, and are not to be disappointed. Thus they instruct their auditory to murder for God's sake, and to defend their religion upon presumption, which has equal influence on them all, with the best proofs.

"They preach much like the Jesuits and friars, only with much less eloquence and sense, and their hearers answer their tears with groans and belches; and herein, like Herod and Pilate, the Jacobites and Presbyterians, though mortal enemies, are for the present reconciled. Truly popery, prelacy and presbytery, with the Prince of Wales in their head, will make an admirable harmony, but how durable any may guess as well as a conjuror; though their mighty malice hinders them from seeing it. They have generally a tender affection for France, being persuaded all their happiness must spring from thence, and, therefore, there is in the north almost a weekly correspondence with France. . . . The last movers of sedition are the monied men, who make all the rest of their Issachars to bear their burdens, and they have a mighty dread that the Union will bring money into the kingdom, and then their extortion must cease, which is very excessive and unjust. The mob seem for the present suppressed, but they must be watched. If the Parliament accept the Union, as is very probable, presbytery must be governed as papists in a Protestant country—with a rod of iron—for they reckon themselves God's ambassadors and their people God's chosen, and, like the Pope, above all civil government; great penalties and joint bonds may keep them more in awe than oaths and secure the peace better; for they all love money wonderfully, though ignorant how to get it honestly. Usury, fraud and oppression are the common methods of the sharp men, as are here called their rich knaves.

"I have printed and acted here for the Union, and, had I had directions from the ministers above, might have been more useful in it, having access to all the great ones and familiarity with most of the inferior. *Adieu.*"

Postscript. "Some ministers ought at least to be silenced, if not banished, for the whole Assembly, by their intermeddling with secular affairs, have forfeited their loyal establishment and deserve little favour."

ELIZABETH POOL, Widow, and the inhabitants of Acton and Turnham Green.—Petition to Sir John Holt, Lord Chief Justice.

[After 1706, October.]—For a warrant to take down the body of Roger Lowen, executed for the murder of Richard Lloyd, "now hanging in irons upon Turnham Green in view of the house where the said Lowen lived, and rented from petitioner, which she can never expect to sell or let while the said body continues, it being her whole subsistence." It is also a great "annucence" to all the inhabitants, so that some have left the place.

Twenty-three signatures, including Ann Coryton, widow of Sir John Coryton, baronet; Sir Thos. Frankland; Sir Francis Childe and Anthony Saunders, D.D., rector of Acton.

[NEWS LETTER ?]

[1706,] November 5.—"The Duke of Atholl moved that in compliance with the Commission of the General Assembly's order for a fast, Mr. Meldrum and Mr. Hamilton might preach before the House on Thursday in the Parliament House. It was answered that the order was for each presbitery to appoint the fast at what time they thought proper; that it depended on the Commissioner to adjourn the Parliament; and in case of a sermon to nominate the ministers and place. On the naming of the Commission of the Assembly, Mr. Fletcher [of Saltoun] said some things had been done in that Assembly that those who were members of the Parliament and of it had reason to be ashamed of, and would be so if he should name them, which occasioned a great heat in the House; but after all the whole was dropped, and the members left to fast and pray where they pleased.

"Mr. Fletcher, on the occasion of considering the Articles the same day, said that the Commissioners had betrayed their trust; Sutherland took him up and others after. Hamilton, Atholl and Belhaven endeavoured to extenuate or justify him, and Belhaven making his case worse, he desired to be heard for himself, and confessed that his passion had made him say what he did, but that he designed not to reflect on the persons who treated. Argyll, having said much to the advantage of the treaters and much against Mr. Fletcher's expressions, owned he had a relation to him and an old friendship for him, and wished the House would accept of his submission, and that he would not trouble the House as he had too often done before, and the House agreed to it.

"The *Flying Post* gives a false relation of this affair.

"Annandale said he was against an incorporate Union because it was against the claim of right.

"Stairs—the same Parliament which settled the claim made an address to King William for an incorporate Union, and that he in the former treaty was for it, and since, but now against it because not one of the Commissioners and for other such reasons.

"The Swedish envoy desirous to expect some other posts for the certainty of Augustus' victory . . . .

" Mr. Stanhope and Dr. Hutton came hither on Saturday in a yacht from Holland. The Doctor says you were the last he waited on and the first on his return. He says that you are a great favourite in the Court of H[anover].

" Bradford has bad nights and is very weak; Sir Wm. Forrester told me this day he was going to him from the Queen with a compliment. I wish my Lord Poulett's friends, whereof you are the chief, thought of him in case of his death. The strong box gentlemen talk of Wharton."

Endorsed, not by Harley :—" Mr. Robert Cunningham."

[William Paterson to Erasmus Lewis?]

1706, November 5. Edinburgh.—" On the 30th of October, which was the day after the despatch of my last, our Parliament read a Bill for adjourning the session, and after that read the 24th and 25th Articles of the Treaty and so adjourned. Thursday being appointed by the Commission of the Kirk as a day of prayer for light and direction to the members of Parliament, was accordingly observed by preaching, etc., wherein some of the most zealous clergy did not fail to express their fears for their Kirk and cause after the Union.

" On Friday, the 1st of November, the Parliament voted the adjournment of the session to the 1st of December, and then began to resume the first Article to reason and debate upon it in order to conclude. But the Anti-Unitarians brought in some addresses from Perthshire and the Lothians against it, which they desired to be read first. This was acquiesced to by the Court. But after they were read the party urged that they should consult their constituents before they proceeded to it; but this the Court would not grant, and the D[uke] of Argyll made a handsome speech on that occasion. He told [them]: *Our Parliament had always despatched the weightiest affairs of the nation without using that formality; that they had declared King James to have forfeit his crown and turned out the bishops, who were one of the Estates of Parliament, without consulting constituents : and in fine, by the Oath of Parliament members are bound to act according to their consciences and judgments, although contrary to the orders of their constituents.* At last the first Article was read and the debate upon it adjourned till Saturday.

" When the Parliament sat down the Court proposed to go to the first Article, but the other party proposed that the Act for the Security of the Kirk should be first considered. It was voted, *Kirk or first Article :* it carried for the latter by thirty-eight voices. Then it was agreed to a resolve that the first Article, though voted and approven, should be of no force unless all the others were approven also; and next, that the Security of the Kirk should be considered after the first Article. The Parliament sat from ten in the morning till eight at night; and this Article being thought the main point and the merits of the cause, it was closely reasoned. Many fine speeches, as also several long ones, were made *hinc inde.* Your friend, Pitmedden, had a

pretty large one for it; the D[uke] of Ham[ilton] spoke loudly against it, and Saltoun spoke also against it with all the rhetoric, art and force of argument the subject could bear, and (which is not his ordinary) with great calmness too. He alleged from history *that the condition of the Governments of Flanders, Milan and the kingdoms of Spain enjoyed more wealth, freedom and power than since they were united with Castile, and that the fate of all weaker States after an Union with greater kingdoms was to be at length swallowed up and enslaved by them.* He received answers to all these topics by shewing the difference in the parallel, and that the reasons in this present treaty were quite different from the others.

" The Lord Belhaven made a long and formal speech against it, which I expect he will print; but here is a little of it literally, as it was delivered. He began: *My Lord Chancellor: Since you are now come upon this subject I will unfold myself and must say the thoughts of this Union hath occasioned me many melancholy reflections, which I cannot so properly discover anywhere as in this place.* And then, after some grimace and some enthusiastic like airs, he continued in this strain: *Methinks, after this Union, I see our brave countrymen enthralled and enslaved. Methinks I see our noble peers degraded and divested of their honours. Methinks I see them reduced to the same state with their vassals and dependents. Methinks I see our great families broke and dissipated and forced tamely to part with these honours their predecessors purchased with their blood and swords. Methinks I see that honourable body of barons, the bulwark of our State, and who have always by their wisdom and valour supported our privileges, reduced to a state of slavery and treated with all ignominy and contempt by foreigners. Methinks I see our best people walking in the Courts of Requests, drooping their heads and afraid to wear their swords for fear of giving occasion of offence. Methinks I see our burghers, who sometime have flourished in wealth and trade, walking their desolate and deserted streets. Methinks I see the wives lamenting the loss of their slaughtered husbands, and the virgins deploring their own condition, and forced to seek husbands in foreign parts;* and a great deal more to this purpose. He said also: *Methinks I see Caledonia, like Caesar, slaughtered in the senate house, saying, Vos mei filii. Squadrone Volante.* My Lord Marchmont answered: *I'm of opinion that member by his expressions, Methinks I see, I see, hath had a vision, and what then? He talketh of things* 1700 *years past, and I'm assured, were that member once awake, he'll find all is a dream, and all he hath spoken containeth more of imagination and fantasy than anything real or solid.* My Lord Mar said that the true answer should be given to that dreaming peer was to read this dream backward, as is our Scots way of speaking. But my Lord Roxburgh, who by his handsome and fine appearances hath so far gained upon the minds of both parties as to be justly esteemed by all one of the finest speakers in our Parliament, made a noble and elegant speech for an incorporating Union, wherein . . . he held forth the advantages of it, as also the present causes of our miseries and calamities and how by an Union

these would be removed. . . . He afterwards answered Lord Belhaven's speech very roundly, and told: *What Belhaven said would not only happen, but for the most part was already come to pass: but the only reason was the want of an Union, seeing by it all these grievances would be redressed, and all these distempers remedied; all our differences and animosities cemented; our trade set upon a right foot; our liberties and privileges, which are now so precarious, secured, and our wealth and strength increased. Belhaven had entertained the House with his visions and dreams, but without proving the divinity of his mission, and his eloquence would have great influence upon shoemakers, tailors, cobblers, etc., for whose meridian it was calculated, and to whom it seemed to be addressed. But if he would ingenuously tell his real reasons why he was against an Union (as he had given some specious pretences for it) he would by that make more proselytes to the cause than his speech could create enemies.*

" They adjourned till Monday without coming to a vote, the Court allowing them to speak all they could say; but Argyll was extremely displeased that it came not to a vote, and said that the regulations of the House were not observed.

" On Monday, they sat, and came upon the first Article. The D[uke] Ham[ilton] spoke a great deal that *the Parliament could not approve the article; that though John Baliol, with his Parliament, did pay homage to England, yet that was judged illegal; and though in the* 1681 *the Parliament declared that the heir to the Crown might exercise the government without any oaths or forms, and that King James entered upon it without these ceremonies, yet in the* 1689 *it was declared null and against law. He inferred that this Parliament could not lawfully enter into the Union against the humours of the people.*

It was answered *that these heats and differences were occasioned by the industrious and artificial methods by which they had poisoned the populace, and that these stories would vanish when they felt the effects of the Union.* At length it was voted—*Approve the first Article or not;* and it carried *Approve* by thirty-two voices. But our Kirk are like to declare against it, by reason their consciences cannot allow them to be subject to twenty-six English bishops.

" The Royal boroughs, by a foolish and irregular step, have this day drawn an address against an incorporating Union. They are mad upon the point, without allowing reason to be heard, as are all our populace and many others who are daily addressing from all quarters against it."

———— to ————

1706, November 5. Ed[inburgh.]—" The Articles and frame of the Treaty of Union, having been here under consideration for several weeks in order to informing the members of some things that are in general and ambiguous terms expressed in them, the matter came at length to this state, viz., that the Articles only should be considered in order to rejecting or accepting them;

in this debate there arose a question at what Article to begin. Some did urge, very rationally, that the first three Articles should be predetermined (*sic*) until the other subsequent Articles should be determined, alleging for their reason that though they were first in the order of the paper, yet they were last in order of nature, and were the result, conclusion and consequence of the Articles. While this was under debate it was moved by a member that the securing of the Protestant Presbyterian Government should be *ante omnia* taken into consideration and provided for. These several points being wrapped up together occasioned this state of a question, viz., that the House should proceed to the consideration of the first Article of the treaty, with this provision, that, though it should be approved and agreed to, yet it should not be conclusive and binding, nor of any effect, until all the other Articles should be adjusted; and that that affair relating to the Church should be taken into consideration next and immediately after the first Article. After two whole days very warm debate, in which there were very fine speeches, there was proposed by the Marquess of Annandale two motions drawn up by way of resolve, and proposed to the House to consider and take their choice and resolve upon either as they thought fit. These two motions, or either of them, were thought as expedients and as sufficient both to satisfy the Queen and as effectual to obtain that good understanding, correspondence and conjunction betwixt the nations as the scheme of Union now proposed is, that all good and peaceable men will wish for. This, I say, was thought so by some, and therefore it was seconded by many, and particularly by the Duke of Hamilton, Earl of Kincardine, Lord Belhaven, Mr. Fletcher. The state of the nation without doors makes it indispensably necessary that this or some such measure be taken, for you must know that the whole nation are aloft about our ears, and virulent addresses daily brought up upon this head from all corners of the country, subscribed by multitudes of hands, and not only from country places and single corporations, but one is also from the Royal boroughs, which is one of the three Estates of Parliament, and even all pulpits for the most part ring with thunderings against it; nay, further, we are both threatened and do dread worse things than paper addresses, for the managers of our affairs have thought fit to bring in all the forces into and about the town that are not attached to garrisons, so that we have triple double guards posted all over the town, especially in the Parliament close, which you call yard; as also an unusual number of the horse guards now attend the Commissioner's procession to and from the House, at least twice as many as used to be when nothing but state and pomp was meant; and not only do they ride in a body after the coach, but last night a certain number, separate from the rest, rode on either side of the Commissioner's coach to keep people from coming near it. We walk in a long lane of guards into the House and out from it, which, by the only view that I had from it last night, could not be compute to less than upwards of two hundred men, and all these charged sharp. I have told you of the ringing of the pulpits which thunders out the obligations of

the covenant and curses and imprecations against those that join in the Union as guilty of perjury and breach of covenant. There is also an address ready from that we call the Commission of the Kirk, which consists of a certain number delegate from the General Assembly; it contains, as I am told, representations of the same sort which I have told you are thundered from our pulpits; it contains also further, as I hear, that all Scotsmen who are to be admitted to public trust, either in England or Scotland, shall be excused from taking the Sacramental Test. It proceeds yet further, viz: That it shall be stipulate to us as a fundamental unalterable condition in the treaty that the bishops of England be debarred for ever from voting in anything which may have any relation to or contingency with affairs of the Church of Scotland, which, in plain consequence, reaches to everything that may concern the Church of England too.

"But I will return to the thread of the history of our procedure which, in short, is this, viz.: That the promoters of the Union were so full of their own scheme that no arguments was able to divert them, but everything was answered with a hideous noise, 'To the vote! To the vote!'; but when it was just to be put to the question the Duke of Athole gave in a protest against it, to which near the one half of the House adhered. This also gave occasion to an ordinance of the House that every man's name should be marked down and recorded as he voted for or against; to this height of animosity are things gone. At length it was brought to the question, and it was carried that the first Article of the Union, with the provisions and reservations I have before expressed, should be approven. It was carried by a plurality of thirty-one or thirty-two votes, of which there [were] twenty-six or twenty-seven of them who had been upon the Commission of the Treaty, and by being so were predetermined in the affirmative, so that setting aside these it was carried only by a plurality of five or six; and of those that did vote in the affirmative there was not a few, and these none of the least quality, who expressed in their voting that it was with and under the conditions and reservation mentioned. What shall be the event of this affair I will not pretend to divine, but sure I am at present in a very ill frame of mind in this nation."

The Union with Scotland.

[1706, November 7.]—"Observations on a paper sent from Scotland in the letters of November 7 [1706], relating to several Articles in the treaty of Union." Dealing with the commercial and financial Articles.

Proprietors of the Ship *Worcester* and her Cargo.

1706, November 12. (*Received.*)—On November 18th, 1705, they petitioned the Queen for letters of reprisal for 35,006*l.* 1*s.* 3*d.*, at which they computed their loss. Her Majesty referred the petition to the Attorney General, who reported the loss they had

sustained as 23,975*l.* 0*s.* 10*d.*, not counting sundry charges which they have to pay or the two years' interest of the money. The proprietors on this petitioned her Majesty that they might be paid 5,000 a year for seven years; which petition, on August 11th last, her Majesty referred to the Committee of the Lords. They now pray their Lordships that if they may not have the allowance so proposed they may be granted an equivalent, such as a report that they have sustained the damage petitioned for and that it was occasioned by the East India Company's first seizing the *Annandale*. This will enable them to apply to Parliament for liberty to trade to any part of the East Indies for 20,000*l.* per annum, without paying to the East India Company 5 per cent. on the return of such trade, and for liberty of settling a colony or colonies on the Island of Madagascar or other place beyond the Cape of Good Hope, to the equinoctial line and eastward to the meridian of the Island Diego Ruys, with liberty to erect forts or castles for their defence, and authority to take or destroy the pirates; and considering the great expense which they would thus be put to, to have this licence in perpetuity, free from the East India Company, but paying to the Crown 5,000*l. per annum.* The proprietors are in hopes of being granted this report and so being enabled to be granted this act, because it will not injure the East India Company; it will bring in to the Crown an additional 5,000*l.* a year, besides the increased customs; and it will prevent the East India trade from being made a monopoly, which was never intended by the present Act.

Lieutenant-Colonel James Jones to Robert Harley.

1706, November 15. Dublin.—Expressing his surprise that his regiment should be going to the West Indies, "and especially being under Colonel Lillingston's command, who has been before laid aside for his miscarriage to several gentlemen under his command." The regiment is suffering great hardships because the said Colonel has not presented their accounts. Hopes that the command may be given to him, without depriving Lillingston of his full pay during the six months leave which has been promised to him. *Signed.*

[James, Duke of Hamilton] to his Brother, the Earl of Orkney.

[1706,] November 16.—"* . . . My fondness of it, among many thousand reasons, makes me against this incorporating Union; for I am sure, if that go on, it will make a confusion and augment the difference betwixt the nations instead of healing the breaches. For this nation will never swallow it, and force can only keep it upon that foot, which I hope in God never to see; and that the wise men of England, who only projected this to bring us into their succession, will be pleased that it have that effect, which it will have now if they please, and will do anything in reason to procure it.

* The beginning of the letter is wanting.

"I cannot express the ferment that there is at present here, and, if you will believe me, I dread the consequence of the unreasonable pushing of this matter, that if it proceed it will pass all people's power to prevent mischief; for all sorts of people are disgusted at it except the *Squadrone* and the first projectors of it. It were too tedious a matter to enter into the reasonings on this head, but if you were here and saw and heard what is to be said upon the subject, forasmuch as you think you are for it, I am sure you would soon alter your opinion, and, in a word, though there are a few men within doors, the one out of revenge and the other to cover past crimes, [who] carry on this matter, you would soon be convinced it is absolutely impracticable without a conquest and a constant standing army to maintain it, and whatever [*erased*] does, that may some time or another endanger the liberties of England as well as master us. You may believe this makes me tremble; and as I always told that a good understanding between the two nations was absolutely necessary, and what, above all things, I wished, yet I could never be allowed to contribute my mite towards it, though I had more than any man living to lose in both nations by the quarrel. But where one does not jump into the measures that are laid down by a Court, whatever they are, they are (*sic*) judged enemies and discountenanced. I made all the advances I could by giving the Queen the nomination. I had a good intent by it. I thought it would have been made such as the wise men of both nations might have had a share in it; and by its being a nomination large in itself and not confined to parties, it might have had the desired effect to unite them in interest, and wherein they are unitable, and to have provided such other regulations as might be judged safe and agreeable to the interests of both. But where party only rules they calculate what suits that, and only let them give it what denomination they please. . . . I think the management has been quite contrary to the end; for at first it was made a mighty secret; nobody knew what it was, and then it had many favourers. But it was no sooner exposed but those who were fondest of the talk of it came to be most inveterate against it. I am sure I cannot be blamed, for I kept close in Lancashire and did not come to London to give any sort of opposition to it, nor was I here to occasion any dislike of it, though I ever, from my experience and knowledge of the interests and temper of this nation, knew that an incorporating Union would not go down in this country but by force of arms; and, therefore, I never thought of it but with fear and trembling, and I am sure if you saw what condition we are in here now you would be sufficiently convinced of this.

"As soon as the Articles were printed, I tell you, all sets of men recoiled against it; and, if I might have been believed, if they had had a mind to pursue it, the best way had been to have delayed the pressing it without entering upon it, but to have let the nation cool and to have given them time to examine the thing, and see whether their jealousies were reasonably founded; but, instead of that, it must be pressed, and in such a hasty

manner that no time must be allowed, but it must be done off score, and every step of this kind made it more and more unfavourable with the people, when one week's time was but craved at first to prepare men's views to examine the thing. Because they had a prepared majority in Parliament it was not to be allowed. Then when we came for information to read the minutes of the proceedings with the Articles, and desired only to calculate the computations of the Equivalent, that was opposed with so much earnestness that it justly created a greater jealousy; and so from one step to another. And whenever any objections were made no answers of any kind were returned, but shifting one question with shuffling in another, and so on during the whole course of our reading the Articles with the minutes for information; so that, before that was ended, most people had got a sufficient distaste at the present scheme. The Kirk, they took the alarm; the boroughs and trading people, they took the alarm; and, in short, the whole nation in general; and so much frighted with it that if a foreign enemy were at the door there could not be a greater consternation.

"The projectors and abettors of this are so far engaged that they, and they only, are for pushing this through at any rate. But I believe no history can parallel that when a nation in general is so averse to a thing, that the representatives will have no regard for their constituents, but in spite of their teeths and contrary to their repeated instructions they will proceed in a matter where so much aversion is shown, as is every day manifest over the whole nation in general, as well as in this place in particular. There's none of your frontier garrisons in Flanders where there are stricter guards than about our Parliament-house; occasioned under the pretence of the foolish boys at first exclaiming at their provost, their huzzaing and breaking his windows, because they thought he was zealous for this incorporating Union: though it is certain the magistrates of the place had dispersed this mob before the troops went into the town to seize the posts, and that they would have engaged for the security of the peace; but they, finding they had a majority of Parliament, would press matters and carry things with a high hand, and took that occasion to surround our house with the guards for securing the freedom of our deliberations. Since that time no disposition of an attack of any counterscarp has been more regular than the lining of the streets, and at every twenty paces *une pite corpe* (*? un petit corps*) from the Parliament-house to the Abbey has been the way of our procession. You will have seen the proclamation about the rabble, and therefore I will not trouble you with any reflection upon what it contains in relation to the firing upon those who shall be found in the streets without distinction, upon any such occasion. In short, I am sorry to tell you, things have a most dismal aspect here.

"I took the liberty to write to my Lord Treasurer, and gave him an account of my thoughts of things; but you know when people offer advice without being called they are seldom regarded. But I have so much duty for her Majesty, and I wish so much

the preservation of the peace, that I thought myself obliged to represent the present ferment both to the Commissioner and Chancellor as well as to his Lordship . . . Though I know my enemies are always malicious to me, yet I am sure I can get nothing but mischief by any disorder that should happen; therefore you may be sure that I have done what I could to hinder it. But . . . since our voting the first Article, though it be provisionally, yet the people are so alarmed at it that they are quite mad. Addresses come in from all corners daily against this, as you will perceive by the minutes.

"Yesterday we passed the second Article, as we did the first, though with much more irregularity; and we spent two days about the preference, whether we should enter upon the consideration of the second or fourth Article first; and, after a long debate, it was carried to take the second into consideration first, which was forced to the vote without ever debating upon it at all; for our reasonings had only been upon the preference, and not the subject matter of the Article.

"It is reported here that there are troops coming to the Borders to make good the votes we pass. God knows if that looks like an agreeable Union! The people are so mad at all this that though the Commissioner is guarded in an extraordinary manner, yet they throw stones at his coach as it passes. I was told they did so last night, and one of the gentlemen of the guard was hurt in the face. I make no doubt he follows his instructions; but there are others much more violent than he. You will think strange [*sic*] when I tell you that when we proposed to address her Majesty to inform her of the present ferment . . . and that I offered to go immediately into the nomination of the Princess Sophia upon limitations such as might suit with the security and interest of this nation, and that we prayed there might be a recess till the Commissioner might have time to know her Majesty's mind upon this subject before we proceeded to the second Article, it was denied; by which you may judge of the impetuousness of our proceedings. I laboured all I could to bring this to bear. I am sure after this England cannot say now we desire to keep things loose, though we are not willing to enter into an unequal Union, which may create disturbances and increase animosities rather than cure them. Now . . . I promoted the Cess Act and dispatched it in two readings, for I thought it most just and reasonable, in all events, her Majesty's government should be supported, so that there was no difficulty there. . . . I am sure if her Majesty had been in person to hear what has been said she would have granted our desire, since all the ends of the several Acts against us had always that quality in them—that their force and effect were to cease upon our declaring the successor of England to be ours; and since this was offered without a convulsion, I leave you to judge what can be said for this, if it is not, that nothing less than a total surrender will please some at the hazard of all the confusion that a distracted people are in.

"I may justly now make excuses for the length of this, but by its being so I have lost the post . . . My wife and I

return thanks to my Lady Orkney and you for minding us upon the occasion of our daughter, so dear brother, adieu. If you have any good snuff, pray send me a pound, for I can get none here, and what my brother Archibald sent me last is done."

Postscript in the Duke's own hand.—" Take no notice of this letter, but I send it you to save me the trouble of writing the same things over again to you. Perhaps my brother Orkney may shew it you." *Copy, probably sent to Harley.*

[" *Ashton*" *is written at the top, and also the date, in the Duke's hand, but the original letter to Orkney was evidently written at Edinburgh.*]

JOHN NELMES to ROBERT HARLEY.

1706, November 16. Leominster.—Requesting him to appear in his behalf, together with Lord Coningsby, to obtain a discharge for his son, Caleb Nelmes, who was listed a soldier at Worcester and is likely to be sent soon to Ireland; and reminding him of his readiness to serve Harley's family.

CAPTAIN E. HARDWICK to ROBERT HARLEY.

1706, November 25. Lamb Inn, near Temple Bar.—The forest of Dean was intended to be a nursery of ship-timber for the Royal Navy, but it is overgrown with beech and other weeds not useful in building ships of war, which shade, hinder and destroy the oak that would grow under it and in its place, and answer the intent of the Statute (20 Car. II). Their cutting would be of great service to the nation and to the commoners in their herbage; and I am ready to answer any objection to the contrary.

Note by Harley :—" Captain Hardwick told me of himself that he signed the petition against it when he was drunk."

JOHN OZELL to ROBERT HARLEY.

1706, November 28. Arundel Street, Strand.—Concerning discoveries made by him of irregularities in the payment of certain crown-rents, and offering his further services in case Harley intends to be a purchaser of crown-rents.

[JAMES, DUKE OF HAMILTON] to GAWEN MASON [? HARLEY].

1706, November 28. Holyrood House.—" If you have received what I wrote last night, your L. will see what we have been doing. I told you in my last we were to choose additional members to the Committee of Calculators to consider and report the branches of our trade relative to the fifth Article, and after we proceeded this day to read the seventh Article. . . . But I must explain one thing which is not expressed as was agreed before we came to any vote, for the Article is not voted nor passed; only that clause relating to excise upon beer and ale.

" It seems by your letter you have not known I have been lame since the first day of this Parliament; that I had a mighty sprain which has confined me to my house ever since, for I am carried from one room to another ever since; my foot is so weak that I cannot lean upon it, and I am afraid it will cost me a journey to the Bath. . . ."

" I am very weary, having been all day in the House, and we are to sit again to-morrow; but for all that it will take up yet a considerable time before this treaty be got through."

" I make no doubt my brother R[uglen ?] will shew you what I have sent to him, as I desire you may what I have sent to you." [*Copy by Lewis.*]

THOMAS PRITCHARD to the QUEEN.

1706, November 28. Worcester Castle.—Has already sent an account of his imprisonment for nearly five months " in the Marshall's in the Savoy " by the hand of Mr. John Duncombe. From thence he was brought to Worcester by " a company of rude soldiers who egregiously abused " him on the road. Since his coming thither he has been beaten, put into the dungeon and ironed, contrary to the law. He prays for damages and for an Act of Parliament to reinvest him in his estate.

HARRY COLT to [ROBERT HARLEY].

1706, November 30. Ludlow.—" I am surprised to find people should have the impudence to inform you of such a notorious story; I desire you will do me the justice not to credit such a scandalous report, for he was as fairly listed as any man I have. He listed himself a-coming from Kingsland fair, and, by the persuasion of his friend, he denied it at Lempster, upon which my ensign and several of my men went before Mr. Powell and Mr. Winton the bailly, who took our men's affidavits and examined the matter, and they deemed him a soldier. But since, Vernol and his wife have trumped up all the scandalous stories of my selling of men and of my usage to them, which, upon doing me justice, I defy all mankind to say anything against me. Besides, he gave me since his receipt and took the remaining forty shillings of the sergeant. Mr. Edward Sherriffe of Eventon, my friend, saw it, but upon his promise to me to find me another man in his room I would discharge him. . . ."

" I hope you will not take this long preamble any ways to excuse sending back the man upon your asking. I should be unfit to live was it so; for as my post and my welfare is entirely owing to your generous self . . . if it be your pleasure to command this man let me know and I will send for him back; otherwise I will keep him in spite of all their interest and their threatenings."

THE SHIP *Worcester*.

[1706, November ?]—The proprietors of the *Worcester* reply to the most weighty objection made for satisfying them for their

loss and damage, viz: That the East India Company may be disobliged therewith:—The Company is under such obligations to the Government and will be such gainers by the treaty of Union that it is not to be supposed they will offer any hindrance to the settlement, which their objecting to this proposal would do, for the proprietors would be obliged to apply to Parliament for relief and so revive the ill usages they have met with in Scotland, occasioned by the fault of the East India Company in seizing the *Annandale* and the barbarity of the reprisal.

William Borrett to Erasmus Lewis.

1706, December 1. Inner Temple.—I have considered your letter setting forth that Robert Strong has attended several months to be a witness against Hannan, to the great prejudice of his private affairs, for which you would know how some consideration may be made him without being interpreted by ill-intentioned people as a bribe to influence his testimony; and have discoursed with Mr. Attorney-General, who says you may safely give him a weekly allowance, or a sum in gross for his expenses, without prejudice to his evidence hereafter. I have sent herewith a certificate that Strong brought last night.

Enclosing certificate referred to, dated November 30, 1706, and signed by a churchwarden and three inhabitants of the parish of St. John, Wapping, testifying to Strong's good reputation and to the loss of wages and credit incurred by his detention.

Marquis de Silly to [Robert Harley].

1706, December [4-]15. Paris.—The state of his health is such that he cannot possibly undertake a journey to England, so he craves a prolongation of his leave and a continuance of Harley's favours. *French.*

A similar letter bears the date December 29, 1706. *French.*

W. Carstares to [Robert Harley].

1706, December 5. Edinburgh.—I did write to you some weeks ago, having cheerfully embraced the opportunity which you were pleased to afford me. "I did then give you some account of our affairs, particularly as to the concerns of our church, and I am heartily sorry that I cannot give you a more satisfactory information of what has passed since. I doubt not but you have seen the second address of the Commission of our Church to the Parliament, in which you find that the scruples of some as to the Union go further than I confess mine do, for though I be as much for Presbytery as others that make a greater noise, and do hope never to see another Church government in this nation, yet I am far from thinking that it is unlawful that Scotland for the common safety of religion and liberty should unite with England, though by the constitution of its civil government twenty-six bishops shall be members of the British Parliament, seeing that is a thing

which it is not in our power to redress. I write nothing of this to you but what I have published and asserted in our debates about that matter, and for this reason I could not but dissent from the address mentioned above.

" It is like too that you hear of sermons preached against the Union by some ministers. I shall not pretend to justify these; a prudent consideration of affairs would show how unsuitable such discourses are, but this is not every man's talent, yet I know you are too wise and just to impute the indiscretion of particular persons to the whole body, or not to receive reports at a distance with some grains of allowance. The plain truth is that in some places the ferment of the people upon false notions of the Union is so great that ministers for their safety are obliged to go further in complying with them than they are of themselves inclined to, and there is a disguised management of many that are enemies to our present constitution, civil as well as sacred, that cherisheth this ferment with a success which I lament; but many begin to see their error, particularly ministers, but I cannot but acknowledge that in several places this country is in a distracted state, which increaseth my earnest desires to see the Union brought to a happy conclusion, as that which alone is like to be our safety and to bring us to a good settlement, though at first it may be attended with a convulsion, which no doubt you are aware of.

" The Parliament goes on as vigorously as I conceive is possible, and I think those entrusted with the management of this affair act their part steadily and honestly.

" If I may have the satisfaction to know that my letters come safe to your hands I shall presume to write more fully.

" Allow me once again to recommend to your favour Mr. Pringle, who was Secretary-depute for Scotland, and whose good character I have presumed often to give you. There is now a vacancy in our session through the death of one of the judges, who was Mr. Pringle's uncle, and who many months before his death was willing to resign his place in his nephew's favour, and, as I hear, her Majesty would have consented to it had it had a precedent. A good word in his behalf from you to any that have influence with the Duke of Queensberry may be of advantage to him."

Pos.script.—Dec. 7. The Commission of our Church has wrote the enclosed, which I hope will allay the feeling against them.

Enclosing :—

THE COMMISSION OF THE GENERAL ASSEMBLY TO THE SEVERAL PRESBYTERIES.

1706, December 6. Edinburgh.—Monitory letter recommending them to discountenance all tumults and disorders, " which the enemies of our present happy establishment may be ready to improve, though without ground, to the disadvantage and reproach of this Church." *Signed*, R. W. (*sic*) Moderator. *Copy.*

[*William Wishart was Moderator at this time.*]

AMBROSE CROWLEY to ROBERT HARLEY.

1706, December 7.—" The countries about London having been so much abused by housebreakers, I thought it my duty to exert myself in taking and convicting as many as I could; but finding so many have been pardoned and sent for soldiers obligeth me humbly to pray you would move her Majesty that the five undermentioned persons, being old offenders, may not be reprieved till I am first heard.

" Thomas Arnold, Richard Morris, Arthur Chambers, James Gardner, William Bentley." *Signed.*

WILLIAM BORRETT to [ERASMUS LEWIS].

1706, December 8.—" Please to acquaint Mr. Secretary that the judges leave the court at the Old Bailey so soon as the trials of the criminals are over; and that the Recorder or his deputy pass the sentences and discharges the gaol; and that Mr. Recorder not being well we substituted Mr. Common serjeant, who discharged Le Moyne de Brie, and I believe, upon no other reason but because he was not proceeded against. If Mr. Secretary pleases, he may order the keeper of Newgate to bring him up forthwith to be examined, and thereupon commit him to the Marshalsea, or lay a fresh charge upon him in Newgate; but if something is not done he will be quite discharged to-morrow."

[WILLIAM PATTERSON to ROBERT HARLEY ?]

1706, December 10. Edinburgh.—" Since my last, of the 5th of November, I have had no small trouble about the Articles that relate to trade and taxes; first . . . to prevent any breaking into them at all, and when that could not be avoided, to get the altetations as reasonable and native to the Union as possible; and excepting what may relate to the salt and malt duties, think none of them have been nor hope will be of moment, and even as to these, that expedients may be found. I expected much trouble in those and the like things before I parted from London, but nothing near so much as I have found.

" The common people, not only about this town, but through all the countries, have been strangely blown up against the Union by several accidents, but particularly by not a few ministers and magistrates; yet of this I am not very careful, since I doubt not but if we can get the treaty passed they will have leisure to cool and come to better temper possibly than if they had never been in this ferment.

In the meantime it has made some great men more uneasy than I think the case requires. All this stir has proceeded principally from a greater and more stated party for King James VIII (as they style him here), than could well have been expected. Besides, when it shall be considered how extremely the parties are embittered against one another, that not a few Presbyterian ministers openly declared against the Union, whilst the rest of them,

by their doubtful and diffident carriage about it, enraged the mob more than if they had openly appeared against it; and adding to these that there is hardly the face of a Government either within or without doors, such disorders ought not to be thought strange; . . . and had it not been for the season of the year and the few forces on foot it must have been much worse.

"Of all who are for the Union the *Squadrone Volante* have been the most firm and deserve the greatest reputation. . . .

"I am glad to find the Commons have expressed themselves so frankly and unanimously in every good thing, particularly with regard to the Union."

Richard Butler, William Ashton and others to Robert Harley.

1706, December 11. (*Received.*)—Memorial with regard to their proposals in relation to the wool trade; praying for Harley's "favourable construction" on their behalf. They specify some of the details of their project; begging that the English manufactures may at first be set on foot by a sum out of the English funds, and that, to recompense "the inhabitants of St. Christopher's and Nevis, who were plundered by the French, they may receive a clothing of lincey-woolsey manufacture *gratis* for their white servants, negroes and Indian slaves for three or four years, or as long as it shall be thought convenient."

[William Patterson to Robert Harley ?]

1706, December 21. Edinburgh.—"Since my last the Parliament have been taken up in drawbacks, allowances, and I know not what of this nature, in which the temper of getting all by and giving nothing for the Union hath still more discovered itself. I am ashamed of the silly mean things I daily hear and see, and am confident others will in a little time.

"The sixth Article is passed, patched up in the manner you will see by the printed minutes transmitted to Mr. Lewis, and the eighth is like to be loaded in the same manner: but what is apprehended most in that is the endeavours for a further exemption after the seven years, which it is supposed will come on upon Monday, and how it will go I cannot tell, considering how loose and fickle some of our people are, and what monstrous conceptions they have in this matter.

"I have for now about three months been so pestered with these kind of things as not really to be able to think or write, and till these things are over it is like to continue so. . . .

"Upon the whole I am not so much concerned for these little things, which will naturally cure themselves in two or three years after the Union, and in the meantime do no great hurt (and the prejudice will be only to the Equivalent) provided the foundations of the Union be but saved, and still continue to think the malt

and salt exemptions are the most material of the trade or money matters, and if this and the fifteenth Articles were once over I should have room to think of expedients.

" I wish you a happy new year and many of them. For me I begin to think it very uneasy to be here so long, especially in winter and in the midst of such a hurricane of nonsense; yet should I be comforted could I but once see the way of bringing any sense out of it, which I shall not until the matter of the treaty be over here, and it will be well if I can then."

Baron d' Eltz to [Robert Harley.]

[1706; December 25-]1707, January 5. Lichfield.—In the hope that my penance made to the court last year has wiped out my fault, I pray you earnestly to attend to a letter from my mother, received last August, of which I enclose a copy. I am sure that if I had the honour of your acquaintance you would not think that I deserve so severe a lot. I know of no honourable man who could wish that I had partaken of it, but in return I have too long had a hard morsel to swallow. All I ask is not to be condemned unheard.

I have written to the Duke of Marlborough and sent him a similar copy, and his reply to my brother was long before the adventure of the cook, so I did right in refusing to believe last year that it was the cause of my disgrace. Without crediting myself with very sharp wit, I think I recognize General Hompesch, my cousin, as the author of it all, by reason of a quarrel between his elder brother and myself. If they would only do me the favour of telling me so I could bring the play to an end in a very few words. I beg you therefore for your protection a second time for three months only. *French.*

Enclosing copy of letter from Madame de Keyelstadt d' Eltz, *dated* July 8, 1706. Thionville. *French.*

[D. Fearne to Robert Harley.]

1706, December 31.—" All I have to add to my last is that yesterday the Parliament passed the fifteenth Article, with amendments, explanations and enlargements. The company finding it in vain to address any more made no struggle, being they expect the Equivalent according as mentioned in the said Article.

" All people that subscribed to the said company (except some happy persons, masters,) exclaim now against Tweedale (deceased) Houston and Paterson that put them upon that project (and most would willingly take 400*l.* for 500*l.* and proportionally ready money), and do exclaim also against the seizure of Green's sh p as well as taking of his life.

" This day the 16th, 17th and 18th Articles passed with amendments, etc., referring to the Committee to consider of the Equivalents by calculation, etc.

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" There is talk of issuing forth a proclamation to discharge the bringing in of more foreign coin to clog the Equivalent; *verbum sapientis*, I had a hand in that matter. This day also the Act for adjourning the session again till the first of February read for the first time.

" The last proclamation I transmit hath sent most of the country people home, and at present we are in more quiet and free of mobs, and think the only Article can bide a struggle now is the 22nd about the representatives.

"Largs longs to hear from your honour."

Enclosing the proclamation referred to, from the General Assembly of the Church, recommending the discouragement of all irregularities and tumults tending to disturb the government. *Dated* December 6, 1706. *Signed* W. Carstares, Moderator *pro tempore.*

Richard Crawley.

1706.—" A list of all private men-of-war and other ships to whom letters of mart have been granted from the beginning of the present war against France and Spain, declared May 4th, 1702, to April 11th, 1706, made in humble obedience to her Majesty's commands, signified by the Right Hon. Mr. Secretary Harley . . . made and extracted out of the records of the High Court of Admiralty by Rich. Crawley, Register."

Names of ships and commanders, 716 in number, (*but several of the commanders are named two, three or more times in command of different ships. Peter Tupper, for instance, is named as commanding the* Nottingham *galley*, Lark *sloop*, Marlborough *galley* and Martin *galley.*

Some of the names tell of close relations with the navy at the time or in later generations. Such are Thomas Pipon, Peter Lecocq, John Cumby, Andrew Elton, Christopher Billop, Samuel Kempthorne, Edward Whitaker, William Blankett, Daniel Jenifer, and others. William Dampier, who commanded the St. George, *is the celebrated author of the " Voyages."*

Mathematical School at Weymouth.

[1706 ?]—Proposal to Sidney, Lord Godolphin, Lord High Treasurer.

" The quarries of Portland belonging to the Crown, there is paid for all stone raised and shipped off from thence a customary acknowledgment or duty of 12*d.* per ton, except for stone for the service of the Crown." Sixpence of this is claimed by the inhabitants of Portland for their poor, though their right is questionable; and threepence more was granted by King Charles II by sign manual, and has since been continued by courtesy. But the churchwardens spend it not among the poor, but in contesting the Crown rights. It is therefore proposed that an enquiry be made as to the inhabitants' claim to the sixpence, and if they have none, that it may be given to the school of mathematics and navigation at Weymouth, and that in any case the

threepence which belongs to the Crown, and the remaining threepence, which is sunk in the accounts of the receiver for Dorsetshire, should be granted to the school. While the building of St. Paul's continues the grant should amount to 90*l.* *per annum*, and afterwards to 40*l.*, which would be sufficient to provide a master for twenty boys from Weymouth, Melcombe Regis and Portland. The corporation of Weymouth have offered to provide a school-house if a stipend can be found for the master.

S[IMON] C[LEMENT]'s Memorial.

[1706.]—It would be very advantageous for English trade with Portugal if even so little as two bales, casks or chests of merchandize could be carried by the Lisbon packet boats, just as the West India packet boats are allowed to carry five tons. It may be thought too late to send a ship to import tar from the place he previously suggested, but if the Government will advance him 500*l.* he will go himself and be able to furnish the navy at a much lower price than is now given.

WILLIAM DOBYNS to [ROBERT HARLEY.]

1706[-7], January 1. Berwick.—Requesting that in consideration of his long service, mostly abroad, he may be given the command of one of the new regiments that are to be raised, and acknowledging his obligations to his correspondent.

Enclosing letters of recommendation for Colonel Dobyns, from the Earls of Galway and Peterborough and John Methuen to Lord Godolphin, certifying his merits and ill-fortune, stating that he is retiring from the service because so many younger officers have been preferred over his head, and hoping that some favour may still be shown to him. *Dated* at Lisbon in July, 1705. *Lord Galway's letter in French. Copies.*

PROCEEDINGS in the SCOTCH PARLIAMENT.

1707, January 4.—Minute regarding an Act for an imposition on beer, and a petition against it given in by the brewers of Dundee, and a clause added to the Act in favour of Mr. James Anderson, writer to the signet, for the payment to him of 1,200*l.* Scots yearly, for six years, out of the revenue of this imposition. *Copy.*

J. RICHARDSON to ROBERT HARLEY.

1706[-7], January 6.—The 25*l.* he received from him at midsummer he fully hoped would have been the last favour in that kind he should ever have presumed to request. Has not failed to endeavour all the means he possibly could not to become troublesome again. At several times has received from his honour 75*l.*, which sum he humbly begs may be made up to 100*l.*, that he may have one half year farther to try if he possibly can find any means to prevent the utter ruin of his languishing family.

THOMAS BOWREY, THOMAS HAMMOND and SAMPSON MEARES to LORD ————

1706-7, January 10. London.—Praying him to lay their letter before the Queen in Council and to assure her that they will do everything in their power to prevent the matter of the Union being embarrassed by bringing the case of the *Worcester* before Parliament. Nevertheless they desire with all speed some relief for the wives and widows of the seamen and for the proprietors, whose impatience is hard to restrain. *Copy.*

WILLIAM MELLICHAMP to ROBERT HARLEY.

1706-7, January 13.—Requests his interest with Prince George's Council or the Navy Board to procure him a warrant to be purser of the new fourth-rate, building at Deptford, or any ship of war. He encloses Captain St. Lo's certificate, since the date of which he has been to sea with Capt. Fairfax as a clerk.

Enclosure—

1706, April 24. Chatham.—Certificate that Mellichamp served as a clerk in Chatham yard and as captain's clerk on the *Barfleur*, and deserves encouragement. *Signed*, G. St. Lo.

[JOHN NETTERVILLE to ROBERT HARLEY ?]

[1707,] January 14.—" I find there will be endeavours to procure an address from the Convocation against the Scotch Union, and likewise from both universities and other places, as I hear. More than that, I find that when the Union comes before both Houses they will immediately order it to be printed and dispersed, and not enter upon a consideration of it till three weeks are expired; for it is a point of the last consequence and ought to be seriously weighed. . . . The Court party are resolved to pass it; yet there will be great debates (if not heats) about it as in Scotland; many divisions, many protestations entered, and the names of such for or against it to be printed and recorded and all that. There will be opposition against prolonging the time for the Bank, and I am told there will be petitions against it, if not addresses. . . . Some private Scotch letters note that notwithstanding the proclamation there against meetings in order to addresses against the Union, yet there have been addresses since. They say likewise, that the laird of Saltoun (Fletcher his name) with some others have thoughts of coming to town when the Union is before the Parliament. If they do, they come to inflame and embarrass.

" Lord Nottingham's speech and Lord Treasurer's answer are much commented on. It seems Lord Somers and his party got the better of my friend Mr. Southwell at the committee of elections. I am sure that party are not friends to Secretary Harley. . . . . Mr. Newman and his friends are very busy and diligent amongst the Parliament men. They would be glad the House were upon ways and means, that their proposal might come before the House.

"It is said the Duke of Marlborough's grant of 5000*l.* out of the Post Office was a managed matter by some of his friends and favourites; his Grace privy to the design all along. It would be a scandal in foreign countries as well as at home if the Mews should be sold upon any pretence whatsoever; and people will think Whitehall will be sold and some great favourite to have an advantage by it.

"Generally it is said that the Union bill of Scotland is against the sense and inclination of the people, and that those for it in Parliament are perjured, and their perjury will be made evident to all England. If Southwell is thrown out of the House for Lord Somers' cousin, it will be looked on as a push at the Duke of Ormond.

"Mr. Primolie [envoy of the Emperor] will not be persuaded but that the King of Sweden will embarrass the whole empire, and has some design against the Emperor, if not to be Emperor, whatever we believe at Court. He believes the King of Sweden's councils are so close and secret that our Court knows nothing of them, nor has he any great esteem of us, nor does he fear us. He believes that our Court does not love him nor his interest; that in Portugal things do not stand so well for the common cause as they did in the late king's time; but he says he keeps his thoughts and opinion to himself. He seems to be of opinion that the late King James' son has, since the contest there about the Union, a greater interest than before. There is a whispering about town among the Roman Catholics as if King James' Queen and Court would take a tour to Italy in the summer to see her brother, the Duke of Mantua, which occasions some speculations not pleasing to that party. Upon the whole, in reference to foreign affairs, the Roman Catholic ministers as well as the Roman Catholics here are in an apprehension the Protestant interest in Europe threatens their own and gains ground every day, . . . and if not stopped they will command the sea and trade, perhaps the very West Indies, and so have command of all the gold and silver of the world; and once having that power, will give law as well by land as by sea and set up and pull down what king or prince or state of the Roman Catholics they please—nay, even the Pope himself.

"Mr. Bret, a nonjurant minister (perhaps none of the best liver, yet a man of intelligence and has some party) met me two days ago, seems much my friend, and asked me what I did in my business, and I told him somewhat would be done, but short of what I expected. Upon which he seemed troubled, and asked me if I had an interest in serving Toland. I said very little. Said he, "*Mr. Penn, your friend, has a great interest*;" advised me to get Mr. Penn to speak to Mr. Toland, that he might speak to Mr. Harley, with whom he is mighty great, that Mr. Harley might press Lord Treasurer to do me justice; for, added he, "*Toland is Secretary Harley's champion or penman to write as he desires as to the subject matter.*" He tells me Mr. Collier is well and so is Dean Lesley, and he is sure they and everybody else would be glad that knows me that I had the benefit of my grant,

and a great deal more to this effect. As to my particular concern, he says Secretary Harley has more brains than half the Council and has more interest in the Parliament, and is the great manager of affairs there.

"I am told Lord Derby has little interest in Cheshire or Lancashire, though a great estate in those parts and Chancellor of the Duchy of Lancaster, for he could not get a Parliament man lately made in a borough there, though he laboured it all he could, and for his brother, he says he is a fool, and for Lord Derby he is not popular—a very close, covetous man—much more than even the Duke of Newcastle.

"I find a sort of grumbling here and there about the corruptions of Parliament, and that there ought to be a law made to make it high treason to corrupt any member of Parliament, and treason in the member to be corrupted. People are not for the prolonging the Bank, and if funds may be easily had any other way it would be better, and that may serve for another time if no other safe funds may be had. I find many of those called Jacobites and high churchmen think it better that the Court carry all before them without any opposition than to make any opposition, which, if done, will be to no manner of purpose; therefore, say they, let the Court have their swing; give them scope and rope enough and they will ruin themselves. They will be doing some extravagant thing or other; insulting by votes or addresses or laws those they call the high church; Lord Wharton and that party will not be quiet; it is not in their natures, and so forth; they must have all or none.

"I met with an ingenious gentleman and he told me that he heard (but did not believe it) that Doctor Aldridge would be made Bishop of Exeter, and Doctor Atterbury Dean of Christchurch; if so it would please many of those called the high church, for they are esteemed good men; adding, it would be policy in the Duke of Marlborough to oblige the University; he might gain, but could never gain (*sic*) ground by it. . . .

"There is a sort of whispering as if the Lord Treasurer had a mind to lay down his staff. If he does the last strokes he gives (which I call his finishing strokes) will be much remarked and will make a lasting impression . . . I met with another story as if Lord Rochester would come to Court as Lord President or in some other great post. This some say (if true) is to break and divide that party. He seems to be off now with Lord Nottingham and others. Upon all reports, true or false, there will be comments, discants and consequences deduced; wits and prejudices will be at work.

"It is said of all slaveries men like that of being made slaves by a Parliament; made slaves by those we send and choose, and send to save us and preserve our constitution; a bribed corrupted Parliament; a monster, no quarter to be given to it, and the subject has no remedy but "*To your tents, O Israel.*" All our successes abroad will not atone and are nothing if we must be slaves at home by our own representatives. Slaves are slaves, whether made so by the King of France or by a corrupted Parliament."

WILLIAM BUTLER to HENRY LOWMAN.

1706-7, January 14.—Having received your letter with Mr. Warr's, on Sunday, I beg you will let me know if Mr. Secretary will enable me to be ready to go by sending a messenger with the Queen's orders to see me safe on ship board. I will then give him the security I mentioned to obey the order of the Council; but if he sends me a bare discharge directed to the Sheriff or Mr. Fells I may be stopped for debt. "I have not had one farthing since Christmas eve; if the woman had anything I never saw her since, which made me send the old man, and at last have prevailed with this little woman to beg your charitable assistance till I have the luck to be released."

Enclosed in a letter from Henry Lowman to [Richard Warre].—Sends a certificate of Butler's conviction in 1699 for words spoken against the King. Would be glad to help him on his wife's account, who is nearly related to him. His other relations have taken little notice of him or he would have been out before now. Has mislaid the sureties' names, but gave them to the Secretary last summer.—Kensington, January 15, 1706-7.

SIR J. GIBSONE to [ROBERT HARLEY.]

1706-7, January 15. Portsmouth.—The master of a Swedish ship from Havre de Grace that came here on the way to St. Martin's has been to London to complain to the Swedish minister of my having detained him. He has now returned and tells me that he knows I have received orders not to stop him. As yet I have received none. It is true Sir Thomas Dilkes, with his fleet, has gone, but the West India fleet is here ready to sail, and I leave it to you to judge if it is reasonable to allow this master to carry intelligence of it to France. I beg for instructions how to behave in this case and what may happen after this.

[WILLIAM PATERSON to ROBERT HARLEY.]

1706-7, January 18. Edinburgh.—"After all the stir we have had about it, the ratification of the treaty was on Thursday quietly passed by the Parliament, and will doubtless be at Whitehall ere this comes to hand.

"As to the additions and explanations, tho' I always thought them better omitted, yet now they are inserted I think them not of moment to those who are clear in the Union; for it is really want of a clearness in the Union here that hath contributed more to that air of diffidence, and consequently of fetching and catching, which appears but too much both in the Articles and additions to them. For, say what one can, some of our people who have voted for the Union are still apt every moment to run back to a conceit that the nations shall still be two after by the Union they shall become one. . . .

"I dined with Mr. Carstares to-day, who very kindly remembered you. He has been of great use in keeping his brethren still from

greater follies, and may after the Union be still of more if his hands be strengthened.

"I conclude this letter with my hopes that by a frank and ready concurrence in the Union, South Britain may, on this great occasion, show itself as much superior to North Britain in understanding and largeness of heart as it is in other things.

"It will be yet about fourteen days ere I can part from hence; in the meantime I am now rather more troubled with people's caresses than with their frowns two or three months ago."

HENRY LOWMAN to RICHARD WARRE.

1706-7, January 20. Kensington.—Suggesting that if Butler can find no security, Mr. Harley should send a messenger (as requested) to guard him against his creditors till he is on ship board.

J. BURCHETT to the SECRETARIES of ROBERT HARLEY.

1706-7, January 23. Admiralty Office.—The mayors of Cork and Kinsale having, by their pretences to Admiralty jurisdiction, repeatedly interrupted the authority of the Lord High Admiral, the matter was referred to Sir Charles Hedges, Judge of the High Court of Admiralty of England. I enclose a copy of his opinion, and am to say that his Royal Highness desires Mr. Harley to move the Queen to order the Attorney and Solicitor General of Ireland to examine into the pretensions or rights of these corporations, and report the same.

Enclosing—

Report of SIR CHARLES HEDGES to the PRINCE'S COUNCIL.

1706[-7], January 11.—I have considered Dr. King's letter relating to the pretensions of the mayors of Cork and Kinsale, to the prejudice of the Lord High Admiral's authority, and am of opinion that the proper method for settling this matter will be by bringing a *quo warranto* against each of them, after the pretentions of the respective corporations have been examined by the Attorney and Solicitor General of Ireland. *Signed.*

THOMAS STILES to ROBERT HARLEY.

1706-7, January 25.—Mr. Whitworth, her Majesty's envoy, has recommended four young gentlemen from Russia to serve in the fleet as volunteers. When I have your orders therein I will take care they apply themselves in due manner; requesting that not more than two may be put on board one ship, and that you will mention the ships on which they are to serve. I subscribe the names: William Shapkin, Daniel Bykoff, Timothy Maltsoff, Daniel Caseynkoff.

SCOTLAND.—TREASURY ACCOUNTS.

[1707, after February 1.]—List of remittances to the Earl of Glasgow of the money received at the Treasury between 1706, October 6th, and 1707, February 1st, amounting to 20,000*l.*

Also "An account of money laid out for her Majesty's service, by order of his grace the Duke of Queensberry, her Majesty's High Commissioner, by the right honourable the Earl of Glasgow. to the several persons after mentioned, in part of bygone arrears of pensions, etc., owing to them by the Government conformably to precepts from the Treasury of Scotland," amounting to 20,540*l.* 17*s.* 7*d.* [*This is the list printed by Lockhart* (i. 267). *The names and amounts agree except that here Lord Elphinstone is substituted for the Earl of Eglinton.*]

SIR DAVID NAIRNE to [ROBERT HARLEY].

1706-7, February 12. Whitehall.—"All I had to trouble you with was to leave with you, by her Majesty's commands, the Act of Parliament lately passed in Scotland for settling the method of choosing the representatives of that kingdom to a Parliament of Great Britain, . . . to be laid before the House of Commons if called for."

HENRY LOWMAN to RICHARD WARRE.

1706-7, February 12. Kensington.—Hearing that it will be some expense to get Butler's business despatched, he is willing to bear the cost of it rather than to be further persecuted by this poor fellow.

WILLIAM BUTLER to HENRY LOWMAN, at her Majesty's Palace at Kensington.

1706-7, February 15. Common Side, Newgate.—This may be the last letter he will ever write unless steps be taken for his immediate relief, for he is sick and perishing, with nothing to eat but black bread and water. Implores Lowman, his only friend, not to let him die in this place.

Enclosed in a letter from—

WILLIAM GATES to [HENRY LOWMAN?]

1706-7, February 15.—Went to see Mr. Butler recently and found him suffering from a fever and ague, lying in a poor dirty hammock and never a shirt to cover his nakedness, and praying to be released from so dismal a place. He wrote the enclosed letter last week, but could get none to carry it, and is now not able to hold a pen.

MARTHA MITCHELL, Widow of Capt. Hercules Mitchell, late commander of her Majesty's ship the *Plymouth*.—Memorial.

[1707, February ?]—Her husband, being of the squadron commanded by Sir George Byng in the Soundings, perished in the violent storm that happened in August last* [1705], leaving her with three young children. On petitioning the Queen for a pension, the case was referred to the Prince of Denmark, Lord High Admiral, who recommended that she should be relieved in the same way as the widows of those drowned in the storm of November, 1703. Having thus lost her husband, and together with him many papers of concern and equipment which cost him 400*l.*, and seeing that pensions are settled on many whose husbands died natural deaths, as lately on the widows of Captain Urry and Captain Searle, who died in the West Indies, she prays for the same favour and for a speedy relief, since she has been at great expense in attendance on this business for a year and a half. *Two copies.*

PRINCE GEORGE to THE QUEEN.

1706-7, March 7. Admiralty Office.—Report on the petition of Eleanor, widow of Captain George Smyth, late commander of the *Warwick*, who died at Barbadoes of a pestilential distemper in November, 1704. She now prays that in consideration of the loss of her husband some provision may be made for her subsistence.

"By the rules of the navy no allowance of bounty is made to the widow of any person but such only as are actually slain in fight with the enemy, and I am of opinion that it is not fitting to introduce into the navy the allowance of bounty in any other case." *Signed. Countersigned by* J. Burchett.

E[DMUND] DUMMER to [ROBERT HARLEY].

1706-7, March 13. London.—"Giving the course of the *King William* packet boat to and from the West Indies. Nothing extraordinary comes from thence saving a general opinion that the Spanish galleons will not stir from Cartagena till better advices are sent them from Old Spain, or orders from King Philip, whom they declare to own.

"That there has been no silver brought from Lima to Panama nor no goods sent from Cartagena to Portobello, and that the galleons are unrigged, laid up, and would not be ready in eight months.

"Sir John Jennings and Commodore Kerr were upon the coast of Cartagena when the packet-boat came away."

SIR DAVID NAIRNE to [ROBERT HARLEY].

1706-7, March 13. Whitehall.—"The Queen commanded me to tell you that she thought it proper that you wrote to the Duke

* But see end of memorial. Probably an old petition, used again.

of Queensberry with the messenger who carries the Act, only to tell his Grace that her Majesty had sent it to be read there in Parliament and recorded."

ARTICLES OF COMPLAINT against MR. [JOHN] BILLERS.

1706-7, March 15. (*Received.*)—(1) That after notorious offenders have been accused upon oath he would not suffer them to be apprehended, but protected them.

(2) That such persons have afterwards committed felonies and burglaries, but have been used by him as evidence against other offenders and so escaped.

(3) That such escaped offenders have departed from their own discoveries and excused the persons they impeached.

(4) That such rescued offenders screen their accomplices and negotiate compositions for capital crimes.

(5) That he has advised criminals to plead guilty, promising to save them; who were then attainted and executed without trial.

(6) That he has taken a great share of rewards for discovery of burglaries.

(7) That by indirect means he has procured prisoners to be brought out of Newgate to remote places in the city, who stood committed for capital crimes.

(8) That he has intimidated ministers of justice by threatening to complain of them to Parliament.

(9) That in coffee-houses and elsewhere he has abused the judges and ministers of justice, when they would not comply with his vain desires.

(10) That he has spread false reports that the sheriffs and their officers let prisoners out of Newgate by night to rob and steal and then take them in again for their protection; and that prisoners have been unduly hastened to execution to prevent discoveries which they might have made.

(11) That he gives out that he has spent 1,500*l.* in prosecutions for the public good, which cannot be true if properly spent.

(12) That he calumniates judges and ministers of justice for his own advancement and in hopes of reward, "though Smith, by him reprieved at the gallows, has not convicted one felon since." *Endorsed* "S. Lovell." [*? Sir Salathiel.*]

[D. FEARNE] to ROBERT HARLEY.

1707, March 25. Edinburgh.—"This day the Parliament ratified and confirmed all; recommended several people to her Majesty's favour; and how some of them have deserved the same you may know more of it hereafter, if you and other great men give the ear.

"Many people are gone and going up, but few goes or comes, I am afraid, but for interest at the bottom.

"This day, after what is above, adjourned to the 22nd of April, after which the Lord High Commissioner made a cavalcade to

the palace with the horse and foot guards, but stones were cast. There are other measures to be taken if we settle peace. I shall not enlarge nor write much . . . only this, that we grasp at the gear every one of us.

" Poor E[arl] of Sutherland is gone towards Court to-day because he cannot stay here after the Act of Parliamentary Protection, after the 1st of May next by the Union of British peers."

Sir David Nairne to [Robert Harley].

1707, March 30.—" I herewith send you a copy of a commission constituting a Privy Council of Scotland."

Office of Works.

1706-7, January to March.—Abstracts of charges in the Office of Works, ordinary and extraordinary, for work done at the Tower, Whitehall, and other royal palaces and gardens, amounting to 5,890*l.* 17*s.* 6½*d.*

B. Jenks to Robert Harley.

1707, April 1.—Harley.—Prays him on behalf of his kinsman, Jenks, of Salop, to present his petition to the Queen, and to give him some encouragement.

Enclosing certificate for David Jenks, of Shrewsbury.

Testifying to his loss of timber and planks (while waiting upon " Hungry Road " for her Majesty's ships to carry them off) by reason of the great storm of November 27th, 1703. *Signed by twenty persons. Copy.*

Anne Strong to Robert Harley.

1707, April 2.—Praying that her husband, Robert Strong, who has been detained in town for twelve months, " as an evidence for the Queen " may be paid the allowance intended for him, in order to satisfy the impatience of his creditors. Since " it is little or no kindness to him to be paid by small proportions," he desires it may be paid all at once, " which only can preserve him from being torn to pieces."

B. Bankes to [Robert Harley].

1707, April 8. Green Mews.—" I beg you would send somebody to peruse the books, for I have now an opportunity of disposing of them all together, but am not willing lest there may be some of value which your honour would have.

" I have been with Mr. Shales, and he hopes in two or three days to find out either the master or his wife, and he begs he may have notice some time before the trial to prepare himself."

M. DE PONTCHARTRAIN to ROBERT HARLEY.

1707, April [9-]20. Versailles.—He complains that prisoners, taken in French ships, have been put on shore at Lisbon without any means of subsistence or of departing either to Spain or France, and begs that orders may be given to provide for the necessary wants of such men, and to have them sent either to Vigo or Cadiz. Further, he begs that renewed orders may be given against pressing French prisoners to serve in the English army or on board English ships. A few days ago a packet-boat from Falmouth to Lisbon was brought into Brest. She had on board sixty soldiers, most of whom were French, taken at the battle of Ramillies, and who declared that they had been forced to serve. In conclusion, he urges that the refusal to exchange the Bishop of Quebec and the dozen ecclesiastics with him, who were captured about two years ago on their outward passage, is contrary to the convention, and requests that they may be discharged, like other prisoners, on giving a suitable exchange. *French. Signed.*

The EARL OF PEMBROKE'S answer to Mr. Povey.

1707, April 23.—Concerning Secretary Harley's inquiry about the minute on Mrs. Pugh's petition. His opinion was that it would be better that she should be recommended to the Lord Treasurer by the Queen than by the Council; he had brought her case to the Queen's notice, and if the petition was presented to her at a meeting of the Council he would remind her of what he had said.

THOMAS HAMMOND to ROBERT HARLEY.

[1707, April ?]*—"I hope you will forgive our impatience and receive our thanks for the care we are sensible you have taken for our relief. From this time forward there is not one of us who shall not think a Court may be depended upon when it is composed of men of integrity. We are confident you will continue your favour." *Signed* "for self and the rest of the owners and freighters of the ship *Worcester*."

CHARLES COXE to [ROBERT HARLEY].

1707, May 2. Lincoln's Inn.—"I cannot forbear taking the first opportunity to clear myself from an aspersion laid upon me as an argument to remove me from the post I have in the Queen's service. If anything were laid to my charge relating to my behaviour in my office I could be content to be silent myself and trust my fate to the report of those counties where I have had the honour to serve.

* The Queen assented, on April 7, to a recommendation from the House of Commons, that satisfaction should be given to the owners of the *Worcester* out of the prize money.

"But this that I am accused of is most proper to be cleared by myself; that is that I should vote in the House of Commons for the tack. Though you were then in the chair, I cannot suppose you should remember everyone that voted in that question. But I am sure you will remember what I told you (before it came on) was my purpose to do upon that point, and that I should not only vote myself, but do the little I could to bring others to vote against it; and I think I had success therein. . . .

"This report is like stabbing a man in the back. The authors might as well accuse me of murder; for as I voted against it, so I find I had like to have been a double sufferer by it. Some misled friends of mine have been my enemies ever since for voting against it; and somebody or other would have made me suffer, under pretence I had been for it.

"I can produce gentlemen who sat near me upon that question when I voted against the tack. . . . and if there were need of anything further I am ready to give my own oath upon it."

[Sir] Sim[on] Harcourt and [Sir] Ja[mes] Montague to the Earl of Godolphin.

1707, May 5.—Giving their opinion on several questions relating to Scotch imports and exports.

Annexed is Lord Godolphin's warrant to the Commissioners of Customs to act according to the opinion of Queen's counsel. *Dated* May 6th, 1707. *Copy.*

Peatly Sturgis, Mayor of Dover, to Robert Harley.

1707, May 14.—"According to your commands I went to Walker and the youths that are with him to demand security for their appearance, . . . who return me answer that they can give no security, for they are wholly strangers here," so I request you will send for them as speedily as you think convenient. I enclose a letter which I took from Walker, which he was to deliver with the boys at Ostend.

Enclosing letter from —— Willis to Peter Woolaerdt, merchant at Ostend.

1707, May 1.—Praying him to take care of the five youths who are going to be apprentices, and to recommend them to Mr. Nicholas Lem, and hoping that the money they have will be sufficient to carry them through.

George Tollet to Robert Harley.

1707, May 25. Navy Office.—It is understood that Parsons, a clerk in the Comptroller's office, is to go to Scotland. If this is so there must be a readjustment of junior clerks, and a vacancy to which the writer hopes Mr. Powell will succeed.

HARRY COLT to [ROBERT HARLEY].

1707, May 27. Hereford.—"Last Saturday, coming from Ireland, where I was with some men, my colonel gave me leave to remain here in England to make an end of a law-suit against my unkind relations . . . They are all bent to give me what trouble they can in it; yet my counsel tells me they will be all forced to bring it to a determination the term after next, if not before, if they are deceived in their hopes of the necessity of my going to Spain before it is ended; there being an advertisment in last *Gazette* from Mr. St. John, by the Queen's command, to order all officers on pain of being cashiered to go to their posts by the first opportunity after fourteen days from the 20th instant, but what had leave directly from the Queen, and I only had my colonel's word of honour that I might remain with safety; but I dare not venture, we being all mortal; and after having the honour of receiving my commission from the best of friends, I would not lose it ignominiously for the world. So I humbly beg the favour of you to get me leave till the term after next be over, that I might be able to leave some small certainty behind for my spouse, whom I believe they would be glad to see starve, or anything that belongs to me.

"I wrote to Sir Harry to do it for me, but not hearing from him nor where he is, and the time limited being so near out, obliges me to give you all this trouble."

MICHAEL STRETCH to [ROBERT HARLEY].

1707, May 28.—"I have been this morning along with my landlady, who came before Justice Chamberlain to speak in behalf of her servant about some disorders that the informers of the parish pretended to be committed in the house; and, although I spoke nothing, being a stranger to the matter, he began to examine me." I told him you could satisfy him and that I had been examined by you and in the messenger's hands for some time. He expects bail for me if you will not favour me with a small note to him that he may discharge me without giving me the trouble of giving bail."

PATRICK GRAHAME.—Memorial.

1707, May 29. (*Received.*)—Was taken for highway robbery on the 10th of December, 1706, near Hyde Park corner, and being carried before a justice of the peace, he immediately impeached four highway men—James Murray, Charles Cary, Alexander Johnson and William Howard; but they all flying from justice, the Queen ordered in Council, upon his evidence, 50*l.* extraordinary for apprehending each or either of them. Since then James Murray was taken in the North of England, while endeavouring to flee into Scotland, and was brought back to Newgate, where he has used all possible means among his friends to have Graham tried and condemned, to prevent his being evidence against him,

as appears by Murray's wife and friends going with the subpœnas for the witnesses against him.

Endorsed by Harley :—" Read to the Queen. Order to write to Lord Chief Justice Holt or the judges who sit at the sessions."

Annexed is letter from Lord Chief Justice Holt to Harley of the same date, stating that he has communicated his letter to one of the judges sitting at the Old Bailey, where it will receive due consideration.

CHARLES VERNON to the LORD HIGH TREASURER [GODOLPHIN].

1707, May 29. (*Received.*)—Lived more than four years with Mr. Vernon, the Queen's envoy at Copenhagen, and after his departure continued there as the Queen's secretary. Is now without any subsistence, and prays him to intercede with her Majesty for the bestowal of an ecclesiastical benefice upon him.

E[DMUND] DUMMER to ROBERT HARLEY.

1707, May 31.—Giving details of a scheme to prevent the depredations of privateers from St. Malo, in the Channel.

[The MOROCCO AMBASSADOR to ROBERT HARLEY.]

[About 1707, May.]—" As it is my duty to acknowledge the great favours I have received from her Majesty . . . I think it no less meet to return you thanks with a sincere heart for all the good offices you have been an instrument of during my abode in the best Court. I cannot leave England without acknowledging how much I am beholden to the Ministry, and do humbly request that the bearer, Mr. [Jezreel] Jones, may be continued in your favour and of the rest of the noble lords, so far as the trust reposed in him by them and what I do now, I hope may deserve." *Signature in Arabic characters.*

J[OSEPH] ADDISON to ROBERT HARLEY.

[1707,] June 2.—" My Lord Sunderland desires you will be pleased to lay the enclosed before her Majesty, and excuse the trouble he has given you. He intends to return to his office about Thursday next."

GEORGE TOLLET to ROBERT HARLEY.

1707, June 7. Navy Office.—Information concerning certain irregularities of which the Commissioners of Customs have complained.

" You were pleased to desire me to speak to a person that could teach your son Mr. Edward to draw. I have sent for Mr. Lens, a very able and the best master we have in London—a sober, diligent man, and very careful. His rate for teaching is a guinea for entrance and half a crown a time for an hour's staying, and his coming may be twice or thrice a week as you please."

ISAAC BOBIN to ROBERT HARLEY.

1707, June 9.—Last Saturday Dr. Chamberlain rejoiced my wife and me by bringing confirmation of the news that you would continually employ me, but that you are afraid I am engaged to some other person. No, sir, I have had too much respect for your promises, and your charity towards my family has been too great for me to transfer my offer of service to anyone else. I have for ten years sought an opportunity to pay my respects to you and to make some communication to you, but heard that you do not speak French, while my English is too bad. I shall consider myself recompensed by your employment, and enclose a memorial which will convince you of my fidelity. I have served your predecessors, the Secretaries of State, and no complaint has been made against me by any of them. *French.*

Enclosing memorial.

Bobin is willing to procure foreign news for Harley. He can be employed for six months on probation, merely asking twenty guineas for expenses.

His correspondents are favourably inclined to the Queen and her Government, and can furnish intelligence of the greatest possible advantage to them. All the Secretaries of State before James Vernon used to invite Bobin's opinion on current events, and he hopes that Harley will continue to employ him. *French.*

MONSIEUR DE GUISCARD to [ERASMUS LEWIS].

1707, June 19. London.—The enclosed letter is, I think, from Mr. Dairol to recommend to you the two French officers whom I am sending. They are also recommended to me by several of my friends, the Marquis de Bougi among others. Kindly present them to Mr. Harley and try to obtain from him such protection for them as he shall think fit. They would be very useful to Admiral Shovel, as they have served twenty years in the French galleys at Toulon and Marseilles. I have tried for the last six days to speak to Lord Sunderland on their behalf; but have not been able to see him and time is pressing. *French.*

SIR JOHN NORRIS to [ROBERT HARLEY].

1707, June 25-July 6. Breslo [? Breglio.]—I received yours of date June 3-14 on June 23-July 4, at Limon, where I was attending his Royal Highness, and acknowledge your expression of her Majesty's approval of my proceedings. "The difficulties of powder and ball are pretty well over, and I hope in the expense of them it may succeed to answer the agreement of the project. . . His Royal Highness marches to-morrow to Sospello, where the enemy have a fortress and about 160 men. It has been summoned from his Royal Highness, but the officer has answered that he hopes, by his defence, to merit his esteem; but that will not hinder the march, and in two days more we shall be at Nice, where his R. Highness will consider how to execute the project. We have

advice the fleet is seen off Ventimiglia, so may believe that the Admiral is got to his Royal Highness' orders of rendezvous in the Bay of Sainto Spetia."

Memorial of the [QUEEN'S] MESSENGERS.

1707, June 28. (*Received*).—Praying Harley to sign their bills, having an opportunity of getting them paid, and being a year and a quarter in arrear.

ORDER IN COUNCIL.

1707, July 14.—For entry of the opinion of the judges as to the questions (1) whether it be expedient that writs of summons be issued as usual to the Lords of Parliament against the next session, and (2) whether the Queen meets the Parliament in the next session as a new Parliament in every other respect than that she, according to the power given by the Act of Union, "has by proclamation continued the members of the House of Commons to be the members of the House of Commons for and on the behalf of England." The opinions are (1) that the Queen's Deeclaration and Proclamation are in lieu of writs of summons; (2) that her Majesty meets the next Parliament as a new one in every respect. *Copy.*

[W. CARSTARES to ROBERT HARLEY.]

[1707,] July 17. [London.]—"Having been this day to wait upon the Earl of Mar, I find the effects of your favour in what he hath told me of my Lord Treasurer's being more inclined than he was to grant what I have humbly desired. I know, Sir, to whom I am indebted for this favourable turn in my affair; and, indeed, you have managed your kindness to me upon this occasion in such a way as I cannot but have a deep sense of my obligations to you. . . .

"The Earl of Mar told me that my Lord Treasurer had desired him to give in a memorial about my business, which he resolves to do when his Lordship returns to town."

BARON D' ELTZ to [ROBERT HARLEY.]

1707, July [20-]31. Lichfield.—Has received a letter from Monsieur de Greder, a prisoner at Nottingham, brother of the lieutenant-general of his regiment, complaining that he has not seen him during the six months he has been in England. Prays that with the Queen's permission his annual journey may be taken some time in advance. *French.*

[W. CARSTARES to ROBERT HARLEY.]

[1707,] August 9. [London.]—"It seems there is an express come from Scotland by which I have a letter from Sir Patrick Johnston, who was one of the treaters, in which are these words:—

" This day (which was the 5th) the equivalent arrived here, and I was witness, as one of our commission, to the unloading of it and lodging it in the Castle; and I perceive as many people here [as] were formerly angry for its not coming are now more angry that it is come, of which we have several instances this day."

P. Bauwens to the Postmasters General.

1707, August [10-]21. Ostend.—" Last night I understand that at Dunkirk are fitting with all speed four of the French King's ships that are to join Forbin, with about 800 men more than they have; and about forty privateers are now a-fitting in expectation of the return of the Greenland, East Country and Moscovian fleets, which makes me send this by express. . . . I hope to send some great news likewise of my Lord Duke of Marlborough, who, as it seems by his decamping, will not let the Duke of Vendome escape a battle."

Endorsed by Lewis—" Received from Sir Thomas Frankland, August 12th."

Robert Culverden to the Governors of the General Post Office.

1707, August 16. Lisbon.—On the 6th instant he met a fleet of sixty-six French merchant ships with three or four men-of-war, about fifteen leagues to the west of Cape Ortegal, and on the morning of the 7th saw them again about twenty-three leagues north from Cape Finistere. They were steering W.S.W. with the wind at N.N.W. In crowding to get to windward of them, he sprung his fore topmast and fore topsail yard and is forced to get new ones made. He judges that those ships had been into " the Groin " and are bound for the West Indies.

The Czar Peter to Queen Anne.

1707, August 30. Warsaw.—Thanking her for her kindly reception of his ambassador and praying her to give a speedy and favourable answer to the affairs which he may propose. *Translation.*

Peregrine, Marquis of Carmarthen.

1707, August 31. (*Received.*)—Memorial for suppressing the pirates of Madagascar and preventing their further piracies and depredations and for other considerable services. Setting forth the great danger that may arise from the continuance of the pirates at Madagascar. Many of them have accumulated great riches and are earnestly desirous to return to their duty and allegiance, lay out their money and settle in Great Britain, if encouraged by the Queen's pardon and protection, " which—with submission—is the only way left to suppress them; it being demonstrable that all attempts to reduce them by force at that

distance are impracticable, without an expense too great to be mentioned or thought on." Meditating on this, the subscriber caused a printed paper entitled " *Reasons for reducing the Pirates at Madagascar* " to be delivered to the members of the House of Commons, who appointed a committee to examine it, and on their report voted an address to the Queen praying her " to take into her Royal consideration how the pirates at Madagascar may be suppressed and their further piracies, robberies and depredations may be effectually prevented."

Since it is by the zeal and industry of the subscriber that the matter comes to her Majesty thus recommended, he hopes that her Majesty will cause the printed paper—hereto annexed—to be considered, and also that he may be examined and permitted to bring forward further inducements, which were omitted from the printed paper, lest the publication of them might give the French an opportunity of thwarting the design.. One such suggestion is to seize and garrison the Island of Don Mascarenhas, which lies very near Madagascar and is now held by the French, who have a small fort on it. There are about 150 families in the island, many of them old pirates, and still frequently committing piracies under English colours, pretending that they belong to the pirates of Madagascar. Another suggestion is to suppress the Arabs of Muscat, who have a fleet of twenty ships, mostly small, though one is of seventy and another of fifty guns. They are all men-of-war as well as merchant men and plunder all nations—except the Dutch, who are too strong in those seas to be insulted. They have taken three or four English ships, have about thirty Englishmen in slavery, are the scourge of the seaport towns of Persia, and possess Mombassa and other places on the East Coast of Africa, which, as well as Muscat, are very rich but of no great strength.

To do this effectually, to seize and hold these places and protect the great riches which would be found there, the subscriber thinks that the force employed should consist, at the least, of one ship of the third rate, two of the fourth, two of the fifth and one of the sixth. It is highly necessary that the force should be sufficient to protect the very great treasure which will be seized as well as that which the repentant pirates bring with them. He further prays that should such a force be employed he may be appointed to the command of it. He believes that a person of his quality in England and rank in the sea service will be the most suitable. *Signed.*

Annexed :—" Reasons for reducing the pirates at Madagascar, and proposals humbly offered to the honourable House of Commons for effecting the same." *Printed.*

[W. Carstares to Robert Harley.]

[1707,] September 2. [London.]—" I did myself the honour to call at your lodging so soon as I returned from Windsor, where sir, I would have waited upon you, but that one of your servants told me you were gone to the Council; and being to go to Tatnam

to-morrow morning to see some of my wife's relations I could not satisfy myself without acquainting you that I have had all the satisfaction both as to her Majesty's goodness and the Lord Treasurer's obliging civility that I could reasonably desire or expect.

I know, sir, to whom I am indebted for all the favour that I have been honoured with at Court, and it shall be my endeavour to witness in my management the great sense I have of the obligations I am under to you.

"My Lord Treasurer is to be in town upon Friday and hath allowed me then to wait upon him, but I hope before that time to have the honour to speak with you."

Sir Charles Hedges to Robert Harley.

1707, September 5. Richmond.—I cannot advise that the Gottenburg ship, brought in by the *Sun* prize, should be proceeded against as prize; but if the masts are such as her Majesty has occasion for, or the enemy wants, it might be well to detain them, paying a reasonable price for them; or the Commissioners of the Navy might be ordered to treat for them, as has been sometimes done in like cases.

[W. Carstares to Robert Harley.]

[1707,] September 5. [London.]—I am much troubled "that I had not the honour to see my Lord Treasurer this day ere he returned to Windsor, seeing he had allowed me to wait upon him here, and to give in that paper drawn up in form of either a memorial or petition concerning that school at Fort William, which I had taken the liberty to speak of to the Queen and his Lordship;" but multiplicity of business no doubt did make Sir David Nairne, to whom I had given the paper to put into form, forget it. "Sir David hath been all along so kind a friend to me that I persuade myself it was far from him to have any thought of preventing my meeting with my Lord. . . .

"I am hopeful that his Lordship will, when he shall see it fit, obtain what is humbly desired as to the school at Fort William; for as it is an act of charity to many poor ignorant creatures, so I am persuaded that the granting it will be much more serviceable to her Majesty than the value of the money doth amount to."

"Since I wrote what is above I find that Sir David Nairne would have been heartily willing to have brought me to my Lord Treasurer, but that a load of business made him forget it."

Robert Millward and William Smith, to Robert Harley.

1707, September 9. London.—They are attending, to acquaint him that they were for some years at Leghorn as coopers in her Majesty's service, for the use of the men-of-war there; that they have discovered corrupt practices to the great abuse of the revenue and also a correspondence with the Queen's enemies in

France by certain London merchants, who have imported great quantities of French wine and brandy to the prejudice of the public interest; and that they are ready to appear as witnesses. *Signed.*

Minute by Harley :—" They were told that the fraudulent part was properly before the Commissioner of the Customs, and there does not appear anything of state matters in it."

LEIGH BACKWELL to [ROBERT HARLEY].

1707, September 15. Nottingham.—I received two letters from you, the last containing her Majesty's pleasure to give leave to Messieurs de Greder, Joby and Sautboeuf to go to Richmond fair. I am desired by them to return their humble thanks for your trouble; "but the weather has proved so discouraging and the journey is so far that they have concluded only to make use of her Majesty's goodness by going to Harborough fair the beginning of next month." I believe I might comply upon their former leave but beg for your opinion.

GEORGE CHURCHILL to [ROBERT HARLEY].

1707, September 24.—In answer to yours of yesterday enclosing Mr. Clement's memorial, the Prince cannot order the 500*l.* without your signifying the Queen's pleasure to him to do so. He has ordered the release of the Swede, and if she is now stopped it is by the Prize Office, which is under the Lord Treasurer.

WILLIAM CHURCHILL to PRINCE GEORGE of DENMARK.

1707, September 29.—Memorial setting forth the expense he has incurred in the performance of his duties and in payment to his clerks, for which he prays to be indemnified by an additional allowance such as his predecessor had; and suggesting a suitable allowance for his successor, Mr. Daniel Bridges. *Copy.*

Accompanied by copy of the warrant appointing William Churchhill one of the Commissioners for sick and wounded seamen. *Dated* July 29th, 1705.

WILLIAM PATERSON.

1707, October 3.—" Representation given in to the Commissioners for the Equivalent by William Paterson, esquire," setting forth his losses in the service of the African and Indian Company of Scotland, and his claim for compensation; " with the deliverance of the said Commission thereupon," remitting to such of their number as are to go to London to recommend Paterson for reparation. *Copy.*

THE SHIP *Worcester.*

1707, October 30.—" The present state of the case of the owners and freighters of the ship *Worcester*, the late Captain Thomas Green, commander, seized and condemned in Scotland." *Printed.*

E. Calamy to Robert Harley.

1707, November 4. Westminster.—"The bearer is sub-brigadier in the first troop of Guards. Brigadier General Davenport, his superior officer, who is set against him for his being a Dissenter, has privately obtained an order for a commission for one to supplant him. He has an ample testimonial from his former colonel, and cannot, he conceives, be charged with any negligence or misbehaviour in his post.

"To have the commission pass without a hearing is hard; and for him to be turned out merely for being a Dissenter is not likely to be for her Majesty's service and might have ill consequences. If such a commission be in your Honour's office, if you will please to suspend the signing it till a court-martial can be obtained, it will be esteemed a signal favour."

Scotch Trading Company.

1707, November 6.—Preamble to the subscriptions to the African and Indian Company of Scotland taken at London. *Copy.*

J. Burchett to Robert Harley.

1707, November 10. Admiralty Office.—The enclosed papers, signed Le Moyne, who is a prisoner in Newgate, have been brought to me. I forward them for your consideration.

Enclosing—

Le Moyne [de Brie] to The Queen.

"May it please your most excellent Majesty to order I should be brought into your Majesty's royal presence to be heard on proceedings done against and in contempt of your most excellent Majesty; being kept on the common side of Newgate for fear of discovery and being in danger of my life."

And—

Le Moyne to Prince George.

To the same purport. The papers that were to be presented to her Majesty have been seized; which proceedings he is to declare at his peril.

John Asgill to Robert Harley.

1707, November 10.—"I understand you are first named on the committee occasioned by my confinement, which hinders me for searching precedents in such case. The first mentioned in my print I found in *Baker's Chronicle, folio* 289; that of Mr. Arnold's I had by information. I know none can give better account of this or any other precedent than yourself.

"I am sorry I should come in for another example, but assure myself of the justice of the House."

[W. Carstares to Robert Harley.]

1707, November 18. Edinburgh.—"What I have read in our public news as to this Parliament's being declared a new Parlia-

ment, and as to what the House of Commons hath done in consequence of its being so, makes me call to mind a report that was spread here a fortnight ago that there was a design to debate your being capable to be a member of the House, you having received a new commission since the Union to be Secretary of State; but, sir, I hope this affair shall be so adjusted as that the Parliament of Britain may not be deprived of the service of so useful a member as yourself, and I am confident that this part of the island would suffer not a little if it should not have your assistance upon such an important occasion as this is; but I hope there is no reason for any fear of this kind.

"But as I have taken notice of one report we have had here, which the event seems to show was not altogether without grounds, so I shall presume to divert you with another thing which I hear is discoursed of amongst some disaffected persons here, which is that there is a design to raise some debate about such members of the House of Commons that represent North Britain as are ruling Elders in our Church; it being surmised that they are not capable to sit in that House, being persons in holy orders, as they talk; but this appears to be so ridiculous that I could not have confidence to write it to any, sir, but yourself, who I know will not expose me.

"I find a great inclination in our Church judicatories to abstain from everything that may create any uneasiness to her Majesty, whose speech to the Parliament gives great satisfaction here. I hope the Parliament will have a compassionate regard both to the scruples and infirmities of some amongst us that are at bottom honest men and well affected to her Majesty's person and government.

"Mr. De Foe is now returning to England, and really I cannot but say that he seems to have a pretty good knowledge of our affairs and just enough notions of them, and he expresses himself, sir, with great honour of you.

"Mr. Pringle, whose just character I have sometimes taken the liberty to give you, is now at London. . . . If he were employed in any station at any Court abroad, I can confidently say, sir, that you will find no man more faithful and true to you than he would be.

"There is a poor honest fellow that hath a wife and family at London that served me several years when I attended the late King abroad. He would be satisfied with one of the meanest posts that are at the disposal of the Commissioners of the Customs that might but give him and his family bread. If you would be pleased to stoop so far below yourself as to speak but one word in his favour to any of the Commissioners it would be a charity to him and a great favour to me."

Jo[hn] Stirling to Robert Harley.

1707, November 22. [London.]—The Dukes of Queensberry and Montrose, the Earls of Mar, Loudoun, Seafield and Glasgow have spoken to the Lord Treasurer about my affair, and "his Lord-

ship was pleased to say he doubted not the gift desired might afterwards be granted, but did not see how it could at present.

" I am persuaded a gift at this time would be of much more use to the Government by obliging at once persons of the greatest interest in that country and the Church, which has always reckoned herself much concerned in the Universities; and it is certain I shall not be able to improve a promise to such advantage with people who have had and still have prejudices and jealousies upon what has lately passed as I could do a present grant, especially after it is known that the College of Edinburgh has obtained their gift, though their case be not so favourable as that of Glasgow on divers accounts. Allow me therefore, sir, humbly to entreat you would be pleased to do me the honour to interpose on my behalf with my Lord Treasurer. . . . After four months stay here I know not how to go down to my own country with that which will be so little regarded there. . . . I know Mr. Carstares was once in danger of going off in the same manner, but as I conceive was happily prevented by the kind interposition of him I now make bold to address."

Jo[hn] Stirling to Robert Cunningham, in Wyan Court in Great Russell Street, near St. Giles' Pound.

1707, November 26. London.—" I am at present very uneasy upon my stay here, having been near five months from home. The Profession (*sic*) of Divinity through the Professor's death since I came from Glasgow is now wholly vacant and cannot be supplied till I return . . . ; so I find myself under a necessity of leaving this. I am concerned not only upon the University's interest in the matter I have been negotiating, but for the satisfaction of many others, that I have had so little success; yea I know divers members of the House of Commons are somewhat surprised at it, that all circumstances considered so little regard has been had to so reasonable and necessary a request—as particularly Mr. Montgomery from Glasgow, Sir Robert Pollock and others—especially when all the Queen's servants for Scotland have jointly applied to the Treasurer for procuring the desired gift. . . . Therefore I must entreat you would do me the favour to wait on Mr. S[ecretary] H[arley] and represent these things to him. I am very sensible of the honour he did me when I waited on him and the kind concern he was pleased to express for this affair. . . . If he would interpose effectually for obtaining this gift it would not only lay a lasting obligation on the University of Glasgow but many others."

Sir John Stanley to Sir Christopher Wren.

1707, November 27. Northend.—The Lord Chamberlain has been pleased to give him the remainder of his lodgings at the Cockpit, and Mr. Secretary Harley has let him have one room more to make them useful, therefore desires Sir Christopher to make him a backstairs and other improvements to his new lodgings. *Copy.*

THE EARL OF MAR to ROBERT HARLEY.

1707, December 2. Whitehall.—"I have spoke to the Queen several times a late for some present supply to poor Davie Lindsay, and her Majesty seems inclined to do it; but my waiting being now out, I beg you may put her Majesty in mind of it the first convenient opportunity you have. . . . He is now reduced to the last extremity, and if the Queen will be pleased to give him but fifty guineas it will be an act of great charity and will keep him from starving. . . . I could easily get it sent him without anybody's knowing from whence it came. I know not the man, but the sad account I heard of him lately forced me out of charity to give you this trouble." *Holograph.*

SIR WILLIAM WITHERS, Lord Mayor of London, to the SHERIFFS OF LONDON AND MIDDLESEX.

1707, December 17.—Order for reprieving John Read.
Endorsed by Lewis, "Brought by John Kemp, Sergeant-at-mace, at Wood Street Compter. 17 December, 1707."

HOUSE OF COMMONS.

1707, December 18.—Orders of the House of Commons on several matters relating to the war in Spain, and the answers thereunto. *Copy.*
Endorsed by Harley, "January 4, 1707-8. Copy to be sent to Lord Sunderland."

MARY ATKINS to ROBERT HARLEY.

1707, December 18.—Having been minuted for her pension by his favour, she prays him to speak to the Lord Treasurer about her miserable condition. Her husband, Capt. Jonathan Atkins, was cut in pieces by a party in Spain.

CAPT. RICHARD LONG to [ROBERT HARLEY].

1707, December 24, London.—As Sir William Whetstone took him out of a command and ordered him on board the flagship as pilot, he prays that he may have a master's share of prize money, which is 60*l.* Pilots have often had a mate's share, which in this case is 30*l.* If he receives his share of the prize together with other money due to him, he is resolved to buy a small vessel and go to the Gulf of Darien, where he knows there is gold. He has a scheme for capturing "Sante Pee [? Santa Fè], which lies in the country about 500 miles, the riches that come from thence is the life of Cartagena and several other places," and he is willing to lay it before the Privy Council or a Committee of the Commons; but is doubtful whether it will be accepted "for fear of offending the Spaniards, because her Majesty is striving to get in Charles the Third." *Signed.*

Repentant Pirates.

1707, December 24, Martinique.—Power of attorney appointing Captain James Diggins to solicit for their pardons with the Queen and Government of England, that they may enjoy their ships and effects peaceably and quietly under the said Government: and engaging themselves to stand by whatever conditions he shall make. *Nine signatures. Copy.*

Richard Vaughan, of Beguildy, in Radnorshire.

1707, December 26.—Certificates testifying to his knowledge of the four rules of arithmetic and his fitness for employment in the Excise. Signed respectively by John Evance, clerk, and W. Richmond.

Also, a declaration on oath by Richard Vaughan that he has obtained his order of instruction to the revenue of Excise without any gratuity, fee, or reward.

Coal Duties.

1687—1707.—Accounts of the revenue raised by the duty on imported coal for various periods during this time; the proceeds of which were devoted to St. Paul's Cathedral.

Also notes of the amount of coal brought into the Port of London annually, from 1671 to 1701; and in 1703, 1704 and 1706. For the latter year the total is about 360,000 chaldrons, which is stated to be the necessary amount "for keeping coals at a moderate price."

Petition of Several Merchants of London to the House of Commons.

[1707.]—Having contrived the building of a new sort of running galley, whereby trade has been carried on to foreign parts without the assistance of convoys, they presumed that they might safely order their homeward-bound ships to steer directly for the "chopps of the Channel," where they would be protected by Royal cruisers against the French privateers, which as it were "lay a boom across the British seas." But they have found that often during the war the cruisers have been sent on service elsewhere, to petitioners' vast loss and the prejudice of the Customs. They pray therefore that a succession of men-of-war may be always "cruising from the Downs as far as the Soundings, with a restriction not to be called off from that service, as has too often happened."

[124 *signatures. That of* Joseph Hall *has the date* 1707 *enclosed in a loop underneath the name.*]

Sir Thomas Travell.

[1707.]—The case of Sir Thomas Travell and his lady in relation to his privilege in Parliament and the proceedings in Chancery between them and Mrs. Hodgson, relict of Edward Hodgson, Esquire.

The Customs of Scotland.

[1707.]—Memorial setting forth the exceptions and provisions expressly stipulated "by the tack of the Customs set to Sir George Home and others by the Lords of the Treasury on the 17th of January, 1705"; and the irregular conduct of the "tacksmen."

Another memorial setting forth the same facts and proposing that an enquiry should be made before the barons of the Court of Exchequer in Scotland.

R. Budge's Case.

[About 1707.]—Concerning the seizure of the ship *Hope*, of which he was commander and part-owner, and sole owner of the cargo; and his difficulties in enforcing a decree of restitution from the Admiralty Court. Prays that the Queen will order him a just reparation.

Opinions about the English Admirals.

[1704—1707.]—Sir G[eorge] R[ooke] not conversable nor complacent: they believe him a good seaman, and a man of courage enough, but timorous and unwilling to venture the least beyond orders, though an apparent prospect of success.

Sir C[loudesley] S[hovel] two years ago had always out the best light frigates of the fleet upon purchase, and frequently all the good sailors; so that if at any time the French had surprised them, they would have been at a great loss. His covetousness goes beyond reason, and his courage beyond the bounds of good conduct; he will venture the fleet on any occasion, and it is feared farther than Allemonde will sometimes be willing. If we be much superior his forwardness may be of good consequence. He eats and drinks pretty much with the Dutch, and is generally beloved amongst the sailors, for his familiar conversation with them, which Sir G. R. never affected, but was very reserved.

Sir Stafford [Fairborne] generally esteemed a bold and brave man: he was forward at Cadiz to have the fleet sail in straight to the Bay within the pointalls. This was also the opinion of the best of the Dutch; but Sir G. R. differed from them, and the D[uke] of Ormond seemed indifferent.

They generally talk well of Lake [Leake] and Dilks, and loved Wishart because he had been long Commander of a Dutch man-of-war, before the Revolution, in the States' Service.

MR. GRIFFIN'S Case.

[1707?]—In consequence of his father's [Lord Griffin's] "misfortunes," and the foreclosure by the mortgagees, he had an Act of Parliament passed in the fourth year of the present reign to raise money for payment of debts and provision for younger children. But he is hindered from doing this, as his title to his grandfather's settlement upon him is objected to by reason of the attaint of outlawry against his father; and it appears by the Attorney-General's report that nothing can relieve him but her Majesty's royal permission to bring a writ of error to reverse his father's attainder, or an Act of Parliament.

LE MARQUIS DE LA MESSELIERE to ROBERT HARLEY.

[1705–7.*]—Prays for permission to go to France for his health, and to arrange his private affairs. He has suffered three months from his illness, which, they say, can only be cured by the climate of his native land, and the return of the Duke of Marlborough seems to offer an occasion of obtaining passports. Prays for Harley's good offices with his Grace. *French.*

Memorandum concerning MR. [THOMAS] ROBINSON.

[1707?]—Mr. Robinson, envoy in Sweden, has paid to Mr. Samuel Akerhielm £450, which the Queen promised for his maintenance at Oxford. Akerhielm had a pass to go to Holland September 18, 1706. "Mr. Robinson having really disbursed the whole sum, and been a long time out of pocket, prays it may be ordered him," and that he may receive it without charge.

WILLIAM PATERSON to ROBERT HARLEY.

1707-8, January 5.—"You have herewith enclosed a note of my hand for the moneys I, by your favour, had of Mr. Jones. Among other disappointments I had about 200*l.* wrung out of my hands in Scotland, which now makes me in want till I have received some part of my own, which I hope to do in three months at furthest.

"My Lord Treasurer has taken no notice of me above twelve months, nor I of him further than now and then to come in his way, and this morning I sent him one of the enclosed papers with a desire of leave to wait upon him in order to giving him some hints which I believe him much concerned to know.

"You see the enclosed paper is only to form what ever remains of the Equivalent after the 398,085*l.* 10*s.* into a regular fund, and if there is not enough to pay all the poor people who must lose their principal, may at least have interest of 5 per cent. for a year, two or three.

* Cf. his memorial on p. 175 *above*. This, however, cannot be of the same time, as Marlborough was not then in England. Perhaps it belongs to the winter of 1705.

"If this or somewhat like it be not done, there will be the greatest clamour raised about it ever was in that part of the island about anything, and in all probability this will affect other matters.

"I suppose they will readily concur in this or like measures, but if not, I shall only petition for my own business and let them work with one another as well as they can. As to the way of bringing these things into the House, and management of them when there, I hope to have your countenance and direction.

"The usage I have had has such a fulsome measure of ignorance and knavery in it that I forbear to complain, supposing that the matter is so gross that those concerned in postponing of me will be among the first to help me out, otherwise they may possibly be led a dance they do not think on. However, I dare not move in it to any purpose without your thoughts, and therefore hope you will give me an opportunity to apprize you of the whole matter, by which you will be the better able to judge."

Enclosing a proposal for the better ordering and disposal of the sums accruing to Scotland by way of Equivalent to the uses to which they are appropriated by the treaty of Union. *Same date.*

Mayor and Jurats of Hastings to Robert Harley.

1707-8, January 6, Hastings.—The father of John Row, of Bexhill, who is now a prisoner at Boulogne, has brought us the two enclosed letters, to be used by us for the service of the Queen and for the delivery of his son. If it should be thought fit to secure Thomas Cramp "he does not live within the liberty of the ports, but in the parish of Fairlight, which is in the foreign." He is very well known to Sir Willaim Ashburnham and Sir Nicholas Pelham, and if an order was sent to them to have Cramp secured, "they are more able to prevail with the fellow to make a free and full confession than any others in the neighbourhood."

Our coast is very much troubled with French privateers, and our town, with others, is in very great danger. Yesterday, about ten in the forenoon, five large French privateers, of above 20 guns each, came within gunshot, and lay with their broadsides to us; we feared that either they were going to batter the town or to land and burn our houses. All the inhabitants were in great consternation, for there were four other large privateers, that seemed ready to second the others, about half a league without. God be thanked, after they had shown us what they could do, they went off again, and did no hurt beyond hindering our fishing-boats to go out. If care is not taken to send ships of war to protect the coast from the insults of the enemy, we fear that this town, and others, may be reduced to ashes. *Seal of the Mayoralty.*

The DUKE OF ORMONDE to the MARQUIS D'ALLEGRE.

1707-8, January 6, London.—Wrote some time since to procure a prolongation of leave for two colonels, but has had no reply. Monsieur de Santiny has showed him a copy of a letter touching the exchange of Colonel Edgeworth for the Bishop of Quebec, to which the Court will not agree. Edgeworth ought to return to France, but if he [Ormonde] can procure him a prolongation for three months by means of the Marquis' help he will be infinitely obliged. *Copy. French.*

J. BURCHETT to ROBERT HARLEY.

1707-8, January 6, Admiralty Office.—Enclosing a letter just received relating to Peter Drake, now in the Marshalsea.

Enclosure:

THOMAS AUSTIN to PRINCE GEORGE.

1707-8, January 6, Marshalsea.—"There is one Peter Drake in the Marshalsea. He is guilty of treason" to my knowledge.

Mem. by Burchett.—"This letter was directed to the Prince under cover to me, and franked, N. Castleton." *Copy.*

WILLIAM MARTIN to NATHANIEL CASTLETON, COMPTROLLER of the PENNY POST.

1707[-8], January 7.—The letter to the Prince, Monday night last, was put in at Mr. Brightland's, a vintner, adjoining the Marshalsea in Southwark, where I went and found the writer, Mr. Thomas Austin. He owned his writing to his Royal Highness, and "said it was upon treasonable words spoke by one that was in his company, which he could not bear to hear." He says he can bring good evidence for this.

PRIZE ACCOUNT.

1707-8, January 12.—An abstract of the Prize Account given in to Parliament. "The whole benefit to the nation by prizes comes to 803,624*l.* 5*s.* 0¾*d.*"

J. BURCHETT to ROBERT HARLEY.

1707-8, January 15. Admiralty Office.—I enclose a second letter I have received, through Mr. Castleton of the Post Office, from Thomas Austin, dated from the Marshalsea prison, relating to Peter Drake, also a prisoner there. Mr. Austin is said to be the son of Sir Robert Austin, who was formerly in the Admiralty Board.

Enclosure:

THOMAS AUSTIN to PRINCE GEORGE.

1707-8, July 13. The Marshalsea Prison.—Some days since I made bold to trouble your Higness with a letter relating to

one Peter Drake in this prison. Since then I have been repulsed, reflected on and insulted, and a gentleman with whom I have been some time acquainted has been beaten for keeping company with an informer. This obliges me to give you the trouble of this. *Copy.*

JOHN READ.

1707-8, January 17. (Received.)—"Information of John Read, now a prisoner in Newgate under sentence of death, of robberies of sundry sorts committed by himself and others in his company, together with the harbours and houses of resort, and the buyers of stolen goods, with a list of reputed pickpockets, thieves, etc."

Stating, among other items, that "there is a sort of thieves about Town, whose practice it is to steal portmantuas from before coaches, and cut bags from behind persons on horseback; these, with other pickpockets, use the City every night in Cornhill and Cheapside: also another gang of thieves, men and women, the men under pretence of picking a quarrel hold the persons, while the women pick their pockets." Concerning thief-takers "such as he has known for ten years past, their practice has been to eat and drink with thieves, to lodge them, and are partakers with them. . . . It is usual for persons losing their pocket-books, writings, or other things, to apply to the thief-takers, as the thieves themselves do when they have got a booty of such nature (not knowing what else to do with them), and if the persons robbed will give as much for the things as they will sell for, they may have them again, if not, the thief-takers consent to have them sold, and they have part of the money, so that the thieves and they are all alike. . . The Marshall's men are not much better than the thief-takers. This informant saith he has had many a pound of them for pocket books stole; they are alike encouragers of thieves, for if they did not give money for such things, they would not steal them, as not knowing what to do with them. If the thief-takers, etc., would do as their warrant runs, they would quickly rid the Town of thieves, by taking up all suspicious persons and bringing them before some Justice . . . (but then what must become of the thief-takers, they must hang themselves or come to be hanged in a short time); therefore . . . they drink with them, get what money they can from them, and then let them go. For sham bail Mr. Lawn is the principal man; he uses the *Bell* in the Old Bailey, and the *Three Kings* on Ludgate Hill. He is not only common bail himself, but a procurer of such, for which he has often ten shillings given him, five whereof he gives to the person procured. . . . These common bail, though they be housekeepers, make over their goods to other persons when an execution comes against them, and plead poverty, and come off for twelve pence in the pound or less. As to the practice of the Guards:—Whereas there are about 50 men in a company,

the duty lies upon less than half the number, the rest having liberty granted to be absent, under pretence of following their trades. The officers receive their pay in the meantime. These men are generally pickpockets and bullies about Town, attenders on ill-women that pick pockets, and some of them keep ill houses. Some go about with cups and balls to cheat, others cheat by playing at cards. The sergeants know them to be cheats and they are encouraged by them. The officers care not what sort of persons they are, so they will but pass muster. These do no duty except a guard or two now and then, and would be sent away were they not protected in the Guards. There are not now so many thieves in the Guards as of late, but the more bullies and cheats. . . The housebreakers in general have no certain place of abode, and since the late Act, if they happen to meet one another, will not let their fellows know where they live, not daring to trust each other. . . If any person makes himself an evidence and puts in twenty or thirty persons in his informations, the thief-takers only prosecute two or three, the others giving money not to be prosecuted." 10 *pp.*

Also 2 pages of further information.

MARSHAL TALLARD to [ROBERT HARLEY].

1708, January 28. N.S. Nottingham.—Prays that one or more persons may be appointed in that town to examine the letters which he is obliged by his long absence and the urgency of his affairs to write to France, so that his liability for them may be at an end when he has posted them. Such persons could, if thought fit, send them to the Secretary's office in London.

RANDOLPH BATH to [ROBERT HARLEY].

1707-8, January 24. Lichfield.—I have received an order for permitting M. Legondez and M. Greder to go to London on parole. The latter was never a prisoner here, so finding by the same post a letter directed to Mons. Greder, I have forwarded it together with a copy of your order, to the Captain at Nottingham by the messenger that was dispatched by Baron d'Eltz.

B. GREDER to [ROBERT HARLEY].

1708, January 25. Nottingham.—Your letter of the 20th of this month was yesterday forwarded to me from Lichfield, informing me of her Majesty's permission to spend three weeks in London, for which I am under an obligation to the Duke of Marlborough. I enclose a letter of thanks for the Duke. *French.*

CHRISTOPHER, LORD SLANE to [ROBERT HARLEY].

1707[-8], January 30. Dublin.—Acquainting him with the proposal made to him by Count Briançon to go to Savoy with a regiment, to which he gave no credit as there was no letter

from the Duke of Savoy accompanying it. His own inclination leads him to serve at home; but if no regiments are raised this year, he desires to be recommended to the Count and to the Duke of Marlborough.

Enclosing note of a proclamation of April 3, 1704, pardoning all Irish and other subjects of the Queen who are willing to leave the service of the French King for that of her Majesty or her allies.

A similar letter from the same to the same is dated 1707[-8], February 16.

Abuses in the Army.

1707-8, February 3. (*Received.*)—Memorial suggesting remedies for certain abuses in the Army. The mustering of the forces "is wholly insignificant, and the money given to that end utterly lost; that employment being in the hands of some broken tradesmen and other persons as unskilful and unfit for that trust, who always reckon upon making the bribes they receive amount to double their salary." The salaries of commissaries ought to be augmented; and the Justices present at the muster ought to have a copy of the roll last past; and in regiments serving abroad, the Major of each brigade; and the rolls ought to be more accurately filled up.

"It is often seen that some regiments abroad are in one year lessened by one half without fighting, which is partly occasioned by the want of due care in mustering, partly by officers not taking care that the men eat wholesome meats, and do not spend all their pay in ill liquors (which kills abundance of them); partly by their discharging men, sometimes without money, only to save some months pay by them, and partly by men's getting counterfeit discharges, by which they pass to seaport towns and get into trading ships, who, for want of hands, are glad to bring them home." All discharges ought to be printed and sealed officially; and non-commissoned officers ought to see that the men buy of sufficiency of wholesome food on pay-day.

Soldiers ought to be better informed as to the exact amount of their pay, and lawful deductions from it. The details of their equipment ought to be set out in the printed contract of enlistment, and extra allowance made for them direct, without the intervention of agents.

"By a due execution of the military laws, it were to be wished that the inequality as to rank and commission were not an obstacle too great to be removed, so far as that in all court-martials a certan number of Justices of the Peace might make a part of the Court, and sit as judges there.

"And if some expedient could be used instead of death for the punishment of deserters, it is very probable people would be as diligent, especially for 5*l.* reward, to take them as they now are, notwithstanding the penalty, careful to conceal them; for they have a wrong notion of the nature of the crime. . . .

We have no galleys for them nor constant use for them as pioneers; nor is transportation any terror to felons as it is now ordered, for either they never go, or oft soon find means to return. But if well-tempered steel fetters were fastened about their necks, and steel plates upon their arms, . . . perhaps it might deter men both from robbery and desertion more than the fears of death, if in that dress they were confined to hard labour."

Proclamations are seldom taken notice of by the vulgar, except where large rewards are offered; and I find even in London the late proclamation about recruits is so little known that many men have listed for a quarter or for half the *premium* offered in it. "Reading proclamations in churches and meeting-houses makes them effectually known everywhere. . . . And as the Army is employed in the cause of religion, it may not, I presume, be thought indecent or irregular to read a short abstract of some things relating to the Army, that are necessary to be known, in all churches and meeting-houses."

Endorsed by Harley as received "in a letter without a name."

Mayor and Jurates of Hastings to Robert Harley.

1707-8, February 7. Hastings.—French men-of-war appear daily in the Channel of this place and keep us in continual alarms. Last Tuesday they came into this road and hoisted a flag on their main top-mast head, to let us know how much they ride admirals of the sea. "We are not in a condition to put ourselves in posture of defence against them or to regulate our Militia, not having commissions sent us. . . . This day one of the enemy's ships was on board our fishing boats and took one of the masters out, and keep them on board for a ransom; which, if they persist in, will in time be the entire ruin of this place and other fishing towns. . . . Once more we beg that care may be taken for the guard of the channel in relation to convoys and cruisers, . . . they daily acquainting some of our fishing boats that they shall disturb us this approaching Spring." *Seal of the Mayoralty.*

Endorsed by Harley, "to be sent to the Prince's Council."

Navy and Trade.

1707, November 20. 1707-8, February 7.—Minutes of the proceedings of the parliamentary committee appointed to consider the state of the Navy and trade.

W. Carstares to Robert Harley.

1707-8, February 17. Edinburgh.—"How great soever my surprise was at the report of late changes at Court, yet it was so far from making me forget the many obligations I am

under to you that I cannot but take the first opportunity of paying my most hearty and humble duty to you, with all that sense of gratitude that an honest man ought to have. I am not capable to serve you, but I beg leave to assure you, and it is all the trouble that I shall at present presume to give you," that you and your family have my best wishes.

Postscript.—"The General Assembly of our Church is to meet the fifteenth of April, and if your son, Mr. Harley, would divert himself with a journey to see the methods of that judicature, and to take a view of our country, I would be proud to have the opportunity of showing any respect I am capable of to one that you are so nearly concerned in."

DANIEL DE FOE to ROBERT HARLEY.

1707-8, February 20.—The case of the paying the Equivalent in Exchequer bills. (*This is the enclosure mentioned in* Report on Harley Papers, *vol.* iii, *p.* 477.)

CHARLES SERGISON to [ROBERT HARLEY].

1707-8, February 21.—"According to your commands [I] do send you herewith the charter to Trinity House.

"I believe, upon perusal of the articles of war left with you yesterday, you will find pretty good provision made against the enormities of the sea, so that little more will be wanting than the due execution of them, which seems to me to be the point to be considered. What fruits you have from the court martials by sea and land are obvious, and yet I do not see how they can be laid aside; and if the act for leaving it to the Crown to try them in Westminster Hall were revived, I fancy there would not be much use made of it. May not an appeal lie from those courts to Westminster Hall, as there does from the common law to the Chancery, and from thence to the House of Lords? In either case of trials at Westminster Hall it should, in my humble opinion, be by juries of ancient seamen, either chosen out of the elder brethren of Trinity House, or by them made choice of. But then, in either of those cases, it will be necessary first to regulate that corporation, as was mentioned yesterday, else you will be left just where you were before. And truly, that regulation seems to me to be needful, not only on this account, but for those other reasons you mentioned, of examining masters, pilots, instructors, etc. Nay, and the examination of lieutenants should be referred to them also, as was then hinted, and if a rule were made for lieutenants to be afterwards examined for captains before they had their commissions it might be of great use to the service, but these and many more regulations ought to be made by the Crown as well for saving of money as mending the discipline, which I have not time to mention at present, though that one I mentioned yesterday of paying the flags as formerly only whilst their flags are flying, and the commander only whilst on board, would go

a great way towards both: these new officers would be saved, and the ships put to sea, and kept so, if it were made their interest as well as their duty to have it so; but these are dangerous points for me to touch upon."

CHARLES SERGISON to ROBERT HARLEY.

1707[-8], February 23.—"If that dead weight upon the Navy, the Marines, were to be continued, it would be necessary to add an article to the articles of war, subjecting them to the trials of court-martials holden by the sea officers; having heard that the officers of the Marines do object against it; for if they are under the command of the sea officers, doubtless they ought to be subject thereto: which I have thought fit to trouble you with the knowledge of according to your commands, at my parting with you the other night.

"I am little acquainted with the military part of the Navy; in the civil I may pretend to a little knowledge, and could show many things fit to be redressed, if saving of money be of any use or esteem amongst us, and when the eyes of the nation begins to open, shall be very ready to do my endeavours if I shall live to see that day."

EXCISE IN SCOTLAND.

[1708, February?]—Abstract of the vouchers of her Majesty's revenue of Excise for Scotland from August 1, 1707, to February 1 following.

SIR ROBERT ADAIR, knight; LIEUT.-GENERAL CHARLES ROSS; LIEUT.-GENERAL ROBERT ECHLIN; COLONEL HENRY MONROE; CAPTAIN ROBERT BEARD; CAPTAIN RICHARD NEWSTEAD, and WILLIAM HAMILL, gent.

[About 1708, February.]—Petition to the House of Commons on behalf of the late Garrisons of Londonderry and Enniskilling, setting forth their services and their several applications for arrears of pay out of the sums raised by disposal of forfeited estates; which sums had been promised by King William for distribution among those who had aided in the reduction of Ireland, but had been diverted by Parliament to other users. They pray for consideration and relief. *Signed by all except Ross.*

BEDWIN ELECTION.

[About 1708, March.]—Chief heads of Mr. [Tracy] P[aunce-fort]'s report on the Bedwin election.

(See House of Commons' Journals, Vol. xv. *passim.*)

ABSTRACTS OF LETTERS.

1707-8, March.—Notes of letters from May 1, 1707 to March 16, 1707-8.

"1707, May 1.—A letter to Welsh takes notice of the aversion which was generally in Scotland against the Union; proposes means to encourage it, and hopes the flame so kindled will go through the kingdom. Copy.

"1707, May 8.—A letter to Mr. Kerr promises all security imaginable to the Presbyterians, desires to know what officers will be needful, mentions the fittest time for their friends' coming over to be when the English fleet sails for Spain. Copy.

"1707, May 15.—Sir D. Dalrymple to Mr. Kerr. Acknowledges the receipt of three letters from him and the copy of the foregoing letter to Welsh; all which he has put into the Duke of Queensberry's hands. The Duke thanks him for his care . . . and has mentioned his good services to the Queen. Original.

"1707, May 13.—Duke of Roxburgh to Mr. Kerr. He had received two letters from him of the 29 of April and 3 of May. Had ordered him 100*l.* of his own money, the affair being not yet ripe to be discovered to the Queen. Original.

"Another from the same . . . says the Jacobites do not deal plainly with him. Persuades him not to press the Queen or Lord Treasurer for money because it would lessen himself. The heads of the manifesto to be published by the Pretender, with Mr. Kerr's amendments. . . .

"1707, June 17.—The Duke of Roxburgh to Mr. Kerr. Hopes the Cameronians will not take the field in arms against the Queen; but if they should, advises him not to appear with them. Refers him to Mr. Baily. Original.

"Mr. Kerr's account of the number of troops and stands of arms designed to be sent with the Pretender, which, he says, he sent to the Duke of Roxburgh in July.

"1707, July 2.—The Duke of Roxburgh to Mr. Kerr. . . Is sensible of his diligence, and desires him still to take care to keep the Cameronians in their right wits. Original.

"1707, July 17.—Another from the same. . . . Had got the Queen's allowance for him to act, and had sent the double of it to Mr. Baily. Original.

"1707, July 22.—Mr. Baily to Mr. Kerr. Appoints a meeting with him, though he had not received the Duke's letter mentioned by Mr. Kerr, which might be of use to determine them as to the occurrences. Original.

"1707, August.—Mr. Kerr to the Duke of Roxburgh. Was now required to give his oath *de fideli* to the Pretender. That through all Scotland, as well as in the North of England, there was a very bad disposition. That two great men had renewed a good understanding and friendship. That the Castle of Edinburgh was to be seized. Copy.

"1707, August 5.—The Duke of Roxburgh to Mr. Kerr. In his last but one Mr. Kerr had mentioned a ship to come with

arms and ammunition, which he desires him to communicate to the Justice Clerk for the seizing of it. . . . Before he received this, it was likely his instructions would be come to hand. Original.

"1707, August 30.—From the same. . . . Things seemd to be coming to a crisis. It was necessary discoveries should be made and persons seized. Desires him to go to the Cameronians and endeavour to prevail with them to enter into an association and publish a manifesto against the Pretender. Original.

"The particulars of what passed in discourse between the Lord Treasurer and Mr. Kerr at Windsor in September, 1707.

"1707, September 5.—Mr. Baily to Mr. Kerr. Had received a letter from the Duke of Roxburgh which recommended two things to him (Mr. Kerr), first that Murray should be seized, and in the next place to procure a manifesto from the Cameronians against the Pretender. Some heads are proposed as proper for the said manifesto, and they are mentioned to have been consulted between Lord Treasurer and the Duke of Roxburgh. Original.

"1707, September 30.—The Duke of Roxburgh to Mr. Kerr. That Mr. Kerr's having been at London is no secret to the Jacobites: therefore advises him to break off with them and go to the Cameronians. Original.

"1707, October 21.—From the same. Had showed his letters and account of disbursements to Lord Treasurer, whose answer was that he wished the manifesto were out before he moved the Queen to give him the money. Presses Mr. K. to hasten the manifesto as a testimony to Lord Treasurer that he had quitted the French. Original.

"1707, November 8.—From the same. Had received his with Macmillan's letter enclosed, and the paper which he had so long wished for. Had read it to the Queen, who was well pleased, and would order him the payment of money. Desires him to preserve his interest with the Cameronians and to keep them from extravagancies. Original.

"1707-8, February 3.—From the same. . . . Dissuades him from coming up to London. Original.

"1707-8, March 16.—From the same. Sir G. Byng was in pursuit of the French fleet . . . and hoped to give a good account of them. . . . Imagines there is some reason to think that the Treasurer is now in earnest, as he is sure Somers and the Whig lords now are. The Justice Clerk had orders by that post to give Mr. Kerr money, and he would have him (the Justice Clerk) understand how my Lord Somers had forced the Treasurer to it. Original."

Scheme of Votes.

1708.—*Table endorsed by Harley* "Scheme of votes of the election of the sixteen peers to the Parliament of Great Britain, 1708, shewing how every peer gave his vote."

CHARLES GORING, Esq.—Petition to Lord Treasurer Godolphin.

[1707-8.]—While sub-commissioner of the prizes, was at very great charges in the execution of his duty, particularly by bringing up large sums of money to London, and by attending twelve weeks together "at the Vigo time" when several thousand pounds worth of goods were at great hazard secured at Portsmouth, though sold in London. Last year he paid 55*l.* to Mr. Battalee, the storekeeper; but being shortly afterwards removed from the office, and therefore unable to see the money paid as it ought to have been, and the storekeeper dying and having his goods seized by his creditors, petitioner is liable to pay the said sum again. Prays for relief. *Signed.*

MARGARET HARLEY to ROBERT HARLEY, Secretary of State.

[1704—1708.]—Is the widow of Mr. John Harley, late minister of the gospel and pastor of a congregation at St. Helen's, in the parish of Ecclestone and county of Lancaster, and is reduced to great straits by an imprisonment for a debt of 5*l.*, whence she was bailed out, and seeks to raise the money. She prays him to pity her bleeding needs and to extricate her from the most miserable of thraldoms.

WILLIAM INNES to [ROBERT HARLEY?]

[1704—1708?]—Giving an account of his services as surveyor of the Common Brewery, and of the gains which he might have made, but for his integrity.

ADDENDA.

Five letters from William Carstares to Robert Harley, undated, but which from internal evidence must have been written in November and December, 1703.

[W. CARSTARES] to MR. SPEAKER [HARLEY].

[1703.]—"I spoke of that affair as fully as you desired me to do, and I see no inconvenience that can attend a speaking to the Duke upon that head and letting him know of how much advantage it might be as to all that he desireth to be done, if Mr. Fraser could be brought to speak with the Treasurer and the Duke together; for I am told that little encouragement was given to produce him, though some at Court knew he was here. I have some other things to speak to you about, and would have begged an opportunity to wait upon you this night but that . . I was detained this day at the Duke of Queensberry's."

[W. CARSTARES] to MR. SPEAKER [HARLEY].

[1703.]—"I cannot but let you know that you have done great service to her Majesty's interest in Scotland by hindering that gift that was designed for the bishops and the non-juring clergy, for it was signed by the Queen, but her Majesty did afterwards forbid Earl Cromartie to send it to Scotland; but it is a gift so conceived that I wonder how a secretary could adventure to present it to her Majesty in such a juncture. I am sure had he had any consideration of what was for her Majesty's interest he would never have done it. There are also some other things that are as unaccountable almost as this, which I shall not now trouble you with. The Earl of Leven hath laid them before the Duke of Marlborough, with whom he was this afternoon."

[W. CARSTARES to ROBERT HARLEY.]

[1703.]—"It seems to be plain that the opposition that hath been made of late in Scotland to the settling of the Protestant succession there, the plain inclination that did appear in many to make a separation of that kingdom from England, the bold discourses in favour of the pretended Prince of Wales that were to be heard both in the streets and coffee-houses, and the great presumptions there are of formed designs against the quiet of her Majesty's government and for setting up a popish pretender as King of that nation—it seems, I say, to be plain that all these things do show that there is a necessity of her Majesty altering the measures of her government as to that kingdom, by chiefly employing such as are known to be against a popish successor, and well affected to the interest of the Revolution and to her Majesty's authority. But that these may be firmly united among themselves, it would be of great advantage if it could be made appear that some of those that have deluded some honest men by a pretended zeal for the liberty and independence of their country were discovered to have correspondence with St. Germains. The seizing of one or two of these, especially if they are members of Parliament, would show that the Court is in earnest against the pretending heir of the Crown, and it would also make it evident that her Majesty hath just reasons to alter her measures in the managing of that kingdom.

"I do also humbly judge that it would be much for her Majesty's service if she did not only declare that she is for the succession in the Protestant line, but if she would be pleased to put the weight of her government in the hands of those that are known to be against the pretended Prince of Wales; for to declare the one and to do nothing in the other would, I am afraid, signify little to the curing of prevailing jealousies. If any such as I have mentioned can be seized here it will be fit that it be done without letting it be known to any Scotchman whatsoever that there is so much as such a design, and when the thing is done then the person being in close custody ought to be first strictly

examined only by those that are English, and none of our great men ought to be allowed to examine him but when some one English minister or other is present.

"After any person is taken into custody I do conceive that it might not be amiss to nominate a new Privy Council in Scotland, for as it is constituted at present nothing I fear can be done to purpose to discourage those that are disaffected, and, besides, this change would give great life both to honest men and things; and for the discovering at once both the necessity of this alteration and how it may be made there needs no more but to consider what kind of persons were put out of the Council last year and what they are that were brought into their place. I do with all submission judge that the Treasurer and the Duke of Marlborough their meeting with the Duke of Queensberry, Earl of Seafield and Earl of Cromartie *alias* Tarbet will signify little to any adjusting of affairs, for they trust not one another, nor will they freely give their sentiments one to another. But I conceive it might be to better purpose that the Treasurer and Duke of Marlborough should speak with the Duke of Queensberry, the Marquis of Annandale and the Earl of Stair together, and plainly lay before them the Queen's resolution of declaring herself for the succession in Scotland, and then those Lords cannot but make known their plain sentiments as to this affair and the methods of managing it, and this will enable the Treasurer and the Duke of Marlborough to give her Majesty their own opinion upon clear grounds.

"There is only one thing more that I shall take the liberty to suggest, and it is this, that seeing her Majesty is resolved to alter her measures as to Scotland, I know not one person that would be of greater use in her Government than the late Treasurer-depute, Mr. Cockburn of Ormistoun, for he is bold, firm and honest, and hath a great influence upon many of the country party as they are called—such I mean of them as are not Jacobites—and I heartily wish he were here. But anything relating to this gentleman must be so managed as the Duke of Queensberry may be the doer of it, and whatever differences may be between this gentleman and the Duke, yet I doubt not but if he were here they might be agreed; but I must not at all be known to be concerned either in this affair or in anything else that I have taken the liberty to mention in this paper. But I know I am safe in your hands, and I persuade myself that I shall be under no mistake with you for the freedom I have presumed to use; and whatever impertinences I may have fallen into in what I have said, yet I can say my designs and desires for the quiet and prosperity of her Majesty's government and of these nations are disinterested."

[W. Carstares to Robert Harley.]

[1703.]—"I have been this day with the Duke of Queensberry and do find that that meeting with Earl Seafield and Earl Cromartie, which I told you was proposed to him, is not insisted

upon. His Grace told me that the Treasurer and the Duke of Marlborough had discoursed with him about the inclination that the Queen had to declare openly her mind about the succession, but that he could not understand by their discourse by what persons they did incline to have that affair managed, and therefore he could not well give any positive opinion about it, the success of it depending very much upon the known good affection to the interest of the Revolution of those that were to be trusted with the management of it.

The Marquis of Annandale told me that he had a meeting this afternoon with the Duke of Marlborough, who, he said, gave him very great satisfaction as to his sentiments about our affairs. The Duke of Queensberry also told me that the Earl of Nottingham had sent to him in the forenoon to tell him that there was a Committee of Council to be, and that he would gladly see him at his office after the Committee was up; but the Duke not coming so soon as the Earl expected, they did not meet."

[W. CARSTARES] to MR. SPEAKER [HARLEY].

[1703.]—"The Earl of Leven having been with the Queen hath told with great freedom what were his thoughts of her Majesty's affairs in Scotland, which she seemed to be well satisfied with. He was to wait upon my Lord Treasurer, but did not find him at home. He is desirous to wait upon you, but I put it off till I should know your mind.* I humbly judge that it may not be amiss he meet with you, if it were no more but that he may know how great a well-wisher you are to our country, and really our circumstances are like to be such that as we may stand in need of your endeavours for our quiet, so you may be an instrument of much good to Britain, by preventing confusions in our poor nation or by enabling honest men to stand out against them if they should be.

"I presume once more to suggest to you that I humbly judge that there is nothing that will enable the Court so much to settle our affairs upon some reasonable bottom than that the Duke of Marlborough and the Treasurer meet with the Duke of Queensberry, the Marquis of Annandale, Earl of Stair and Earl of Leven together, and that our affairs and what may be proper remedies for our distempers be freely discoursed of, for it seems to be necessary that men and things should be plain and above-board; and it is much better, in my poor opinion, that those that are at present friends should plainly understand one another than to go to Scotland with different views as to the methods of management.

"Pardon this freedom which flows from sincere concern for the public interest of our religion and our peace."

* See Harley's letter of December 10 (printed by McCormick in Carstares' *Letters and Papers*, p. 724), which seems to be an answer to this.

PETITIONS AND MEMORIALS TO THE QUEEN, 1704–1708.

HENRY LACE.—Has seized several ships and vessels trading contrary to law, which with their cargo amounted to 50,000*l.*, part of which belongs to the Queen, but has not been applied to her use and service, nor accounted for. He prays for a day to be appointed for hearing what he and his witnesses can depose as to the said seizures. (About May, 1704).

SCOTCH PLOT.—Memorial for laying the examinations taken in the plot before the Parliament of Scotland and sending down the evidence to that kingdom; and concerning a convoy to a ship with the Marquis of Tweedale's equipage as is usual.

Proposing means whereby the examination of persons concerned in the plot may begin on the 10th or 15th of July next. *No names.*

Endorsed by Harley—"June 4, 1704. That relating to a convoy sent to the Prince's Council."

THOMAS HUNTER.—Lies under sentence of death for several burglaries of which he is innocent, the charges having been brought by a perjured person who had already been in custody for the same offences. Prays for a commutation of the sentence to that of transportation.

Endorsed by Harley—"June 11th, 1704. Respited till Thursday at the Council at Hampton Court."

HENRY KNEES, a Swede and master of the Swedish merchant ship *St. Jacob* of Stockholm.

On her way from Ramsgate to the Downs, in charge of a Trinity House pilot, the ship fouled and sank an English hoy laden with government stores; the men only were saved. The *St. Jacob* also received great damage. Several actions have been brought against him; he has been imprisoned and is almost ruined by law charges, the loss of the voyage and damage to the ship. As at the time she was in charge of an English pilot and he himself was sick in bed, he prays that further proceedings at the suit of her Majesty may be stopped.

Endorsed by Harley—"Received from Mr. Leoncrona, June 13, 1704. June 16, referred to Sir John Cooke to report the fact and what proper to be done." [*Cf. Cooke's letter*, p. 126.]

THOMAS, LORD FAIRFAX, BARON OF CAMERON in the kingdom of Scotland.—For a pardon for Peter Dearlove. (The petition and the report are transcribed in Petition Entry book, 1704–1709, p. 7).

Another report by the Council of the Lord High Admiral, that Dearlove may be pardoned, since at the last Admiralty Sessions no one appeared to accuse him. Signed, D. Mitchell and George Churchill. Dated June 28, 1704.

Warrant to prepare a bill to pass the great seal for the said pardon.

ROBERT MCNEALL, ESQ.—Having frequently addressed her Majesty, setting forth his services and sufferings for the Protestant interest, she ordered Mr. Secretary Vernon to acquaint the Duke of Marlborough that he should have a post in the army. Not doubting of his success, he was surprisingly prevented about eight months since by being made prisoner upon suspicion of treason, though he protests his innocence and loyalty. Then, being under bail, he went to Windsor, thinking to meet some of the Secretaries of Scotland to whom he was recommended by the Earls of Bute and Glasgow, his near relations, to move the Queen for him. But his going there was considered so great a fault that he was sent to Newgate, and it cost him in fees and otherwise between £15 and £16. He prays for employment or for relief, and for a pardon *gratis*, that he may have a legal action against those who call him a Newgate traitor or the like.

Endorsed by Harley—" Received June 29, 1704."

SIR EDWARD SOUTHCOATE, BART.—His daughter Penelope went to Dunkirk in 1699 in the time of peace, being then about ten years old. But suffering of late from the King's evil, she is advised by her physicians to return to her native country as the only means of re-establishing her health. Prays for a licence for her to return into her Majesty's dominions with her maid-servant.

Endorsed by Harley—" Received July 15, 1704."

And by Lewis, " Read July 16, 1704. To be further considered."

JOHN OGILBY.—Returned about eight months ago from France in order to take the benefit of the Act of Indemnity in Scotland, where he was born. His intention was to serve her Majesty in all due obedience, but to his surprise he was apprehended and committed to the Gate House, where he remained a close prisoner for almost six months to the utter ruin of himself, his poor wife and children, having expended all his small substance and run into debt to the sum of 130*l.* and upwards, for which he is in daily danger of being troubled. Prays her Majesty to relieve him from his present miseries and employ him in her service.

Endorsed by Harley—" Received July 22, 1704."

EDMUND DUMMER, ESQ.—Pursuant to the orders of the Committee of the Privy Council resolved in the minutes August 20th, 1702, petitioner having passed his accounts with the Postmaster-General and shown the navigation to the West Indian Islands to be practicable, and what he propounded having been performed in a succession of ten voyages to those Islands, by vessels employed at his own expense, in obedience to the said minutes, he prays that he may be paid speedily such reward as shall be thought fit.

Endorsed by Harley—" Received August 4, 1704. Read August 8, 1704."

In a letter of August 10, 1704, petitioner hopes that his petition will be offered, " being very much distressed in fortune and reputation for want of a determination."

OWNERS and FREIGHTERS of the ship *Worcester*, trading on the separate stock to East India.—On the arrival of the said ship at Leith from a voyage in the East Indies, she waited for a convoy for England. In which place while the commander was ashore, " between 30 and 40 Scots persons " went on board and drew their swords on the sailors, saying, " If anyone resisted he was a dead man ; " and so took possession of the ship and cargo, turned all the crew but five ashore, and refused to let the commander come aboard ; their only pretence being a reprisal for one of their ships which was lately seized in the Downs by the English East India Company, with whose ventures the petitioners are in no way connected, since they manage their trade separately by virtue of an Act of Parliament. They pray that the ship and cargo may be restored to them in order to come to England and pay custom for the goods, " which will be considerable." *Signed by* Thomas Starke, Thomas Hammond, Thomas Bowrey and William Keech.

Enclosed is the affidavit of the same persons to several facts stated above. Made before John Parsons, Mayor, August 26, 1704.

Also an affidavit of John Ockley, of London, mariner, who was on board the *Worcester* when seized on August 12, testifying to the facts stated above and adding that a Scotch man-of-war lying near fired one shot, immediately after which the Scots drew their swords. Made before the same person on the same day.

Also a similar petition signed by Starke, Bowrey, Hammond and Elias Dupuy.

JOHN LAW, of the kingdom of Scotland, gentleman. " About ten years since he had the misfortune to kill Mr. John (*sic*) Willson in a duel, for which being tried here in England he was found guilty of murder, but by the intercession of several noblemen of Scotland he was reprieved by the late King William, and removed by virtue of a *habeas corpus* from Newgate to the prison of the King's Bench, where an appeal was lodged against him by Robert Willson, the next of blood to the deceased, which being prosecuted with great violence, your petitioner made his escape from the said prison.

That he is now residing in Scotland, and by the intercession of friends hath prevailed with the said appellant to annul his appeal ; yet your petitioner is debarred from serving your Majesty (as he is most desirous) in the just war wherein your Majesty is now engaged." Prays therefore for a pardon " not

only for the death of the said John Wilson, but also for his breach o' the said prison" that he may be able to serve the Queen for the rest of his life.

Endorsed by Harley—"September 5, 1704. Rejected."

[This is John Law the well-known financier. The name of the person he killed was Edward Wilson. See *Cal. S.P. Dom.* 1694, 1695, *p.* 108.]

TAMAR, wife of RICHARD GOUGE, mariner.—Her husband was cast away in the great storm of November 27th last on board the transport *Asia*, leaving her destitute. Prays the Royal bounty. *Enclosed* is a certificate to the same effect, adding that the children are only kept from "coming to the parish" by the charity of well disposed persons. Dated August 26, 1704, and signed by Daniel Smith, Mayor of Harwich, William Thompson, Vicar of Dovercourt-cum-Harwich, and five others.

ROBERT BLACKBURNE.—Was committed to Newgate in April, 1696, whence he was bailed out at the sessions held in August following and discharged. Having contracted debts in prison, he intended to go to Flanders in hopes of relief from his relations there. Going on board an Ostend man-of-war, he was stopped for want of a pass and committed to the custody of a messenger. A bill then depending in Parliament for the imprisonment of one Counter and others, his name was given in by the officiousness of the messenger and thereupon added by the Lords in their amendment (without his ever being examined) and he re-committed to Newgate, where he has been above eight years. Prays to be bailed out.

Endorsed by Harley—"Received September 6, 1704."

RICHARD COLINGE.—Is yeoman usher of the House of Peers, and farmer of Crown fines in the Court of Queen's Bench, by Letters Patent under the Great Seal; and was also an under-clerk of the Council but "unprecedently" dismissed. He was never guilty of any act to forfeit the said grants, nor "received any benefit" from them, which were of 800*l.* a year. Prays for a reversion, pension or employment.

Endorsed by Harley—"Received September 23, 1704."

Also a similar petition.

CAPTAIN RICHARD HILL.—In obedience to the Duke of Marlborough's commands, he served this campaign in Germany as a volunteer, and being wounded in the last glorious victory [Blenheim], had leave to return to throw himself at her Majesty's feet to pray for pardon—in compassion to his youth, in pity to his wife and five small children, and in regard to his services—for a crime committed at sixteen years of age and eleven years since.

Endorsed by Harley—"29 October, 1704. Enquire of Mr. Secretary Hedges for Duke of Marlborough's letters, &c."

Annexed is the case of Captain Richard Hill, setting forth that he was the son of the Dean of Kilkenny, and had colours given him at the age of thirteen in Lord Lisborne's regiment through the interest of his father-in-law, Captain Edward Carey, father of the present Lord Falkland. In a short time he was promoted to the command of a foot company in that regiment. At the end of the Irish war he left the company he then had in Brigadier Earle's regiment, and served two campaigns as a volunteer in Flanders, and returning to England had the misfortune at the age of sixteen to quarrel with Mr. Montford, and in a recontre to wound him, of which wound he died. This happened in 1692, since which time Hill had endeavoured to merit a pardon by going volunteer to Newfoundland with Colonel Gibson.

Also a letter of the Duke of Marlborough to Harley from the camp at Eppingen, 3 September, 1704, forwarding a memorial of his General Officers on behalf of Captain Hill, "representing" his good behaviour in the two late actions and recommending him as a fit object of her Majesty's mercy. *Signed.*

The *memorial* is signed by Lords Cutts and Orkney, R. Ingoldsby, H. Withers, Ch. Rosse, and Wm. Cadogan.

Also copies of memorials from Lieutenant-General Earle and Colonel Gibson testifying to Captain Hill's good conduct while under their several commands, and recommending him to mercy for a crime committed when he was only sixteen years old.

Annexed is a much later petition, referring to his services but not to his crime, and praying that in compassion to himself and his "ten children" he may be put on the half-pay list as a captain of dragoons.

CHRISTOPHER PRICE of Llanfoyst in the county of Monmouth, gentleman.—King Henry VIII. granted to the town of Abergavenny two thirds of the great tithes of Llanvihangel Crucorney, and half the tithes of Llanthewy Rytheock and Llanellen in the county of Monmouth, being 49*l.* per annum; Whereof 15*l.* was to be paid to the usher of the free school in the said town, which has been and shall be regularly paid. The remaining 34*l.* was received by the town and applied by them as they thought fit till the year 1689, when their charter become void by their neglect of choosing a bailiff, while such a number of electors remained as the charter required. Notwithstanding this forfeiture the 34*l.* was paid by the tenants to the town till 1698, since when, perceiving that the town had no right to the rents, the tenants have converted them to their own use. He prays therefore, in consideration of his services as Justice of the Peace and acting Commissioner for executing Acts of Parliament, at a great expense to himself, to be granted the said tithes, with power to call the tenants to account from the year 1698.

Enclosed in a letter to Harley, dated November 3, 1704, Llanfoyst. Thanking him for his promise to deliver the petition and requesting directions as to the further prosecution of the matter.

CAPTAIN PETER D'AUSSY.—(See Petition Entry Book, 1704-1709, p. 40, November 22, 1704.)

SIMON TRETZEL and NIELS NIELSEN of Stockholm, and DAVID AMYA of Gottenburg in Sweden.—(See transcript in Petition Entry Book, 1704-1709, p. 41, December 3, 1704).

SARAH BUTLER.—Her husband, Captain James Butler, was killed at the battle of Aughrim, and her three sons were killed in the late wars, as appears by the true copies annexed of certificates from the Earl of Meath and Major-General Stewart. The late King granted her an allowance of 30*l.* per annum, which ceased on his death. Since then she has contracted some few small debts for which she is now imprisoned in the Marshalsea with two starving grandchildren under her care. She prays therefore for a continuance of the said allowance. Dated December 14, 1704.

Enclosed are the copies of the certificates referred to; and a similar copy signed Sam. Lynn, dated 19 July, 1703, at Whitehall.

JOHN DACKIN.—Was formerly in the Horse Guards, but resigned to become a gentleman pensioner extraordinary, "wherein he has served" ten years, but is now discharged from the said attendance without any consideration. Prays that his pension of half-pay may be paid out of Mr. Nicholas' office, there being a vacancy by the death of Mr. Peter Lamb, or to become a poor Knight of Windsor, and, until a vacancy falls, to be paid the pension due to him.

(? 1704. See also Calendar of Treasury Papers, 1702-1707, p. 260).

Memorial of WILLIAM THOROLD, clerk, and RICHARD DAVIS.—Thanking her Majesty on behalf of the English inhabitants of Rotterdam who are in communion with the Church of England for having procured for them the free exercise of their religion, and for her late bounty towards its support; and praying her to grant letters recommendatory authorizing her subjects to collect the charitable contributions of the well disposed throughout her dominions for the furtherance of the work.

(? 1704.)

ANTHONY LEEDES.—(Petition, case and inquisition are transcribed in Petition Entry Book, 1704-1709, pp. 61-64, under date January 26, 1704-5.)

Also a deposition of Thomas Manners, labourer of North Milford, made at Selby, February 5, 1704-5.

Also the report of Sir Simon Harcourt that the Queen may properly grant a pardon for manslaughter. Dated February 9, 1704-5.

CAPTAIN WOOLFRAN CORNWALL to the Lords of the Privy Council.—Having in July last petitioned her Majesty to grant him a pension for his long services at sea, his petition was referred to their Lordships, who after consulting the Lord High Admiral's Council reported that he deserved a pension of 200*l.* per annum. Whereupon he was referred to the Lord High Treasurer, but he being of opinion that a seaman ought to be relieved out of the Navy, petitioner has had no benefit. Prays for intercession with the Queen to grant him either a pension out of the Navy, such as Sir Ralph Delaval, Admiral Killigrew, Lord Carmarthen, Sir John Munden and others received, or a superannuation such as Captain Mason, Captain Clements, and Sir Robert Robinson have.

Endorsed by Harley—"Received January 26, 1704-5. He will present his petition himself on Sunday to her Majesty."

A similar petition to the Queen is *endorsed by Harley*—"Received from her Majesty, January 31, 1704-5. Read in Cabinet Council St. James, February 4, 1704-5. Referred to his Royal Highness' Council."

Accompanied by the report of Prince George of Denmark, Lord High Admiral, that petitioner does not come within the rules of the Navy either for pension or superannuation, and submitting his case to her Majesty. Signed and dated 8 February, 1704-5.

Also a petition giving further particulars of his 29 years' service and his wounds, and alluding to an earlier petition of June 15 last. (This is the petition referred to above, as presented in July 1704).

MATTHEW PAGE.—(Transcribed in Petition Entry Book, 1704-1709, domestic, p. 45, under date December 26, 1704.)

Underwritten, Order of Sir N. Wright [Lord Keeper] for the attendance of all parties concerned or their proctors at Powys House. Signed and dated, 1704-5, January 3. Subscribed with a report by the same, recommending the appointment of a commission to review the last sentence. Signed, and dated 17 February, 1704-5.

Endorsed by Harley—"Received December 20, 1704. Referred to my Lord Keeper, December 26, 1704. Review allowed and ordered, February 17, 1704-5."

JOHN OVIATT.—Being tried by the Court of Queen's Bench in accordance with a writ of *habeas corpus* directed to the gaoler

of Newgate, he was by the Court remanded to gaol on a wrong judgment. He therefore prays for a writ of error returnable in Parliament this present session.

Endorsed by Harley—" John Oviatt's petition of Aylesbury. Received from Mr. Lee, a solicitor, Monday, February 19, 1704-5, at eleven o'clock, as I was going to the House. Note.—Mr. Secretary Hedges had received a letter and petition from one John Paty, which by the Queen's order was last night referred to the Attorney General."

Enclosed, memorandum by Harley.

Mr. Lee, of Clement's Inn, says he came concerning a petition left at this office last night, from one of the Aylesbury prisoners (John Oviat). When asked who sent it, he said one Mr. Caesar, of Simond's Inn ; he was told there was no entry made last night ; also the petition was not signed ; " and when there came a petition signed by the party, I would do my duty and take her Majesty's directions in it. . . . He was asked why they had not petitioned the House of Commons long since, and then the Aylesbury men might have been released. He said they could not petition the Lords until they had petitioned the Queen." Dated Saturday, February 17, 1704-5.

Enclosed in note from Harley (? to the Attorney General).

Enclosed petition being laid before her Majesty, I am commanded to transmit it to you with directions to you to advise with Queen's Counsel, and to return me an opinion whether a writ of error ought by law to be granted. February 19, 1704-5.

A similar petition is enclosed in an information of Thomas Wilson, a porter of Lincoln's Inn, who received it from Mr. Cesar, with orders to come to Secretary Harley's office. Dated February 16, 1704-5.

EDWARD and ANN RICH, infants, the children of Cope Rich.—Are the great grandchildren of the Earl of Holland, " who for his loyalty to your Majesty's grandfather, King Charles the First of blessed memory, was beheaded with Duke Hamilton and Lord Capel." Their father has been for many years past " under the unhappy circumstances of discomposure of mind, who is next heir to the present Earl of Warwick, an infant, and to the title of Warwick and Holland, Viscount Kensington, and Baron of Lees." Their parents are too poor to educate and support them. They pray for compassion. Signed by Wat. St. John, Henry St. John, and H. St. John.

Endorsed by Harley—" Received February 23, 1704-5."

Annexed is a note in Godolphin's writing, stating that he thinks it may be proper for the Queen to give these children an allowance for their education.

JAMES TOMSON, gentleman, on behalf of Wyndham Tomson, an infant, his grandson.—Clifton Tomson, father of the said

infant, served as a Cornet of Horse under Brigadier Palmes " in that great and glorious battle at Hockstet [*i.e.* Blenheim]," and after showing great courage was there killed, leaving a widow and two children in a mean condition. Prays that his grandson's name may be entered for his admission as a poor scholar of Sutton's Hospital, commonly called the Charterhouse. *Certified* by Lord Thanet.

Annexed, Warrant for the entry of his name in the house-book of Sutton's Hospital for the first Royal nomination. St. James', February 26, 1704-5.

FRANCIS HAGGAS, corporal in Colonel Wheeler's company in the first regiment of foot guards.—In December last he was ordered to Portsmouth and Farnham with his company, and did not know till this week that one Mr. Richard Ball had petitioned the House of Commons and procured a bill to pass both Houses, enabling him to sell his estate of Great Appleby and Little Appleby, in the counties of Leicester and Derby, and to lay out the money arising thence in the purchase of another estate, thereby defeating the title of petitioner as heir-at-law. Prays that the Queen will not assent to the bill.

Endorsed by Harley—" March 6, 1704-5. To be examined."

Accompanied by the case of the same, showing that his mother's father, Francis Appleby, was, in 1637, possessed of the manors of Great and Little Appleby, lands in Overseale and Netherseale, and Meeston Mills in the above counties, and died in Ireland, whereby his daughter Margaret became heiress. In 1668 or '69 her husband, Matthew Haggas, brought a bill in Chancery to get possession, but the papers were burnt at Grey's Inn. They died about 1691 or 1692, and their eldest son, Appleby Haggas, brought in a new bill, but died very poor in 1701, leaving petitioner his heir. The lands claimed by Mr. Ball are believed to be none of the lands claimed by Haggas, but the insertion of a saving clause in the Act would be very satisfactory. *Signed* John Gardiner, solicitor for the petitioner.

Endorsed by Harley—" Received March 8, 1704-5."

Report made by Harley on this case on the same day, taking into consideration the information of the solicitor and stating his belief that the proposed Act cannot prejudice petitioner; to be submitted to the Queen. *Signed.*

Draft of the same.

PATRICK LACY, esquire, Clerk of the Council of her Majesty Catherine, Queen Dowager.—(Transcribed in Petition Entry Book, 1704-1709, p. 74, under date March 4, 1704-5.)

Accompanied by a certificate of the petitioner's loyalty, dated March 8, 1704-5, signed by the Duke of Richmond, the Earl of Denbigh and five other persons.

Also the report of the Attorney General that Lacy is bound to good behaviour and to appear at the next assizes for Suffolk for having twice refused to take the oaths appointed in the first year of William and Mary, and that if he refuses a third time to take them he is liable to the penalties named in the Act, but that as he is a Roman Catholic in the service of the Queen Dowager, and has always behaved loyally, her Majesty may lawfully give order for the discharge of his recognizances. Signed Edward Northey; dated March 10, 1704-5.

Endorsed by Harley—"Read in Council, March 13, 1704-5. Warrant to Mr. Attorney ordered upon it."

JERONIMO BESTOSO.—Sets forth his services and grievances and prays for speedy consideration of his request that a prize ship alloted to him for his services at Port St. Mary may be fitted out to go to sea.

Endorsed by Harley—"March 18, 1704-5. Prince's Council present. Read. The Queen hath done much for him without any proof of his merit."

(See Calendar of Treasury Papers, 1702–1707, *p.* 377).

JOHN HOLINSHED, ISAAC ADAMS, JOHN MAYOTT, and JOHN HUGHS, messengers of the House of Commons, and two assistants. On an address of the House of the 24 of June, 1701, the salaries of the clerk, assistant and under-clerks, door-keepers and housekeeper were augmented, without any relief to petitioners, who have but 5*l.* each per annum, though they have attended "several long late sessions wherein hath happened little or no perquisites." They pray therefore that their allowances may be increased.

Endorsed by Harley—"Received April 7, 1705."

A duplicate copy with a printed bill of the votes of the House of Commons, June 24, 1701.

Another petition to the same effect.

ROBERT LUMLEY LLOYD, clerk, senior Fellow of Pembroke Hall, Cambridge, and chaplain to Richard, Earl of Scarborough.—

The said Pembroke Hall is under the Queen's visitation. On November 5 last the rectory of Framlingham, Suffolk, became void by the death of Mr. Draper, which living is in the gift of the said college by the donation of Sir Robert Hitcham deceased, to whom petitioner is nearly related. The constant usage and custom in such a case being to present the master or next senior fellow, the master, Dr. Brown, was presented to it last December, but he not thinking fit to make use of the same, the living remains void, and ought by known usage to be offered to petitioner as senior Fellow. But the Master and some of the Fellows, to his prejudice, endeavour to confer it upon a junior

Fellow whom he does not conceive to be duly qualified, "to the great discouragement of all learning and seniority in the said college . . . and to the disturbance of the peace and quiet" thereof. Their only pretence is that petitioner has a considerable estate of his own, "which was never an objection before this time." Prays for relief.

Endorsed by Harley—"Received April 26, 1705. Nothing can be done by law in this, which is a private affair, but entering a *caveat* with the bishop of the diocese against the presentation of an unfit person."

JOHN BARRETT.—Going lately to Finchley to seek for work, and being disappointed thereof, upon his return "he met with a horse on the side of a common, which he unadvisedly took to ride a mile or two homewards upon it," to ease his weariness, and intended to have turned the horse loose in a very short time, but was taken upon it, and has since been convicted and sentenced to death. He has a wife big with child, and six other children. He has "an universal good character" and this is his first offence; the said horse being only valued at three pounds. Prays therefore for a reprieve.

Endorsed by Harley—"Received from her Majesty April 26, 1705."

Enclosed is a certificate of good character signed by John Goodwin, vicar, and the churchwardens, overseers, and seven other inhabitants of East Bedfont parish in Middlesex. Dated April 24, 1705.

MICHAEL WADDING.—(See Calendar of Treasury Papers, 1702-1707, p. 57,) Her Majesty formerly gave him an allowance of 10*l.* and promised that he should be provided for, but having lost the said allowance and the Duchess of Ormond having sent him word that his relations are so inveterate against him (for turning protestant) that it is not safe for him to go to Ireland, he prays for relief until he can be provided for according to her Majesty's promise.

Endorsed by Harley—"Received April 26, 1705."

CHARLES DUNSTER.—Has been in prison for some weeks, but nothing appearing against him he was let out on bail. He is obliged to go to the West Indies or he will lose at once the little that he has purchased with the expense and toil of years. The fleet being just ready to sail, he prays that his bail may be discharged.

Endorsed by Warre—"Mr. Charles Dunster, bail discharged, May 5, 1705. Writ to Mr. Barret the same day," *and by Harley*—"Read May 5, 1705, granted."

Enclosed in a letter of the previous day from Dunster to Robert Harley.

CHARLES GIBSON.—Having commanded the packet-boat between Dover and Calais from the Treaty of Ryswick till the present war was declared, and being then out of employ, the Archbishop of York and the Earl of Nottingham recommended him to the Queen to transport prisoners of war between the same places, which service he performed to the satisfaction of the Commissioners for exchanging prisoners. But after Lord Nottingham resigned his Secretaryship of State, they dismissed petitioner without reason assigned. Prays for restoration to the said employment or some other place in the Royal service.

Enclosed in a letter (to Harley) dated May 5, 1705.

MATTHEW COUDELL.—On the death of his father (a French protestant) in 1690, petitioner, then only fourteen, was enticed into France by his mother's relatives, and after being at school there, entered the French army. Having now quitted that service he offers himself to her Majesty for employment; and for the truth of his allegations refers to the certificates annexed. Prays for a licence under the privy seal that he may be qualified to spend the remainder of his life in atoning for the misfortunes of his youth.

(About May 8, 1705).

Enclosed is a certificate of that date from [Sir John] Macleane that he believes Captain Coudell to have returned to England with the intention of serving the Queen as a faithful subject.

A similarly worded petition refers to the above petition and certificate.

CAPTAIN ISSAC DELESTRILLE'S MEMORIAL.—For eighteen years he served the Crown of England as captain of foot in Colonel La Melloniere's regiment, and is now retained a pensioner to her Majesty's bounty in Ireland. Being a native of France and well acquainted with that kingdom by land and sea, he proposes to lay down such method for a descent upon a certain place as will be highly prejudicial to the French King, without much danger to the English, and is ready to make his method known to anyone whom the Queen shall appoint.

Endorsed by Harley—"Received May 11, 1705."

The MAYOR and ALDERMEN of Coventry.—Complaining of the riots and illegal practices which have attended recent elections of burgesses for Parliament, and in particular on the 8 of March last "on the project of a new Parliament." Being apprehensive of further and worse disturbances at the approaching days of election, they pray the Queen to issue a proclamation forbidding the interference of all persons who have no right to vote, and the appearance of voters and others with arms. *Signed*, Samuel Billing, Mayor. *Also by* eight Aldermen. *Copy.*

(The Coventry election was on May 22, in 1705.)

NICHOLAS MORICE, esquire, one of the clerks of her Majesty's signet.—Having served in the said office above twenty-eight years he craves to resign his post, praying that it may be conferred upon his nephew, Joseph Moyle, esquire, a member of the present Parliament, and grandson to Sir William Morice, sometime one of the Principal Secretaries of State, whom the Lord Clarendon in his elaborate history doth candidly represent as very instrumental in the happy restoration of the Royal family to their throne." *Signed.*

Endorsed by Harley—" Received June 27, 1705."

EDWARD HENRY, EARL OF LITCHFIELD.—By an inquisition upon a writ of *ad quod damnum*, taken at Ditchley in the parish of Spelsbury, Oxon, returned to the court of Chancery, it was found that no damage would ensue if he received a Royal licence to enclose the common ways leading from Charlbury to Kiddington, and certain ways leading from Northleigh and Stonesfield to Enstone, making instead new ways " on the south and east sides of a certain close called New Close, in Ditchley.' Prays for leave for him and his heirs to change the said ways.

Enclosed in a report from (Sir) Edward Northey (Attorney General) that the Queen may lawfully gratify the petitioner on condition of his making the new ways proposed. Signed, and dated June 30, 1705.

CAPTAIN JOHN BREHOLT AND OTHERS.—Several of her Majesty's subjects, who have committed piracies in the south seas, are willing to " reclaim " if assured of her pardon. Petitioners, having engaged several merchants to advance sufficient stock to set out ships for a voyage to those parts to treat with those pirates and to bring back such as will be pardoned, pray that they may receive the Queen's commission, and will be ready to start within three months of receiving the same. *Signed*, John Breholt, Daniel Hall, Jez. Jones.

(About June, 1705. See Harley Papers ii, 195, 196.)

JANE HUSSEY, widow, principal creditor of John Everard, deceased.—By several considerable losses at sea, and two imprisonments in France, (having seven fatherless children to maintain), she is now reduced to a low ebb of fortune; her losses in all, including her last in the Barbadoes fleet at Christmas, being 8,000*l.* The said John Everard, for his good services at Worcester and elsewhere, received from King Charles II. a pension of 26*l.* per annum, which was continued by Kings James and William. But on his death, above fourteen months ago, there was due to him four years' pension still unpaid. He left a daughter in great want with her family. Petitioner being an inhabitant of New York, destitute of friends or support, prays for a Royal order that

the arrears of Everard's pension may be paid out of the Earl of Ranelagh's office for her relief, he owing her ninety pounds. Dated June 28, 1705.

Endorsed by Harley—" July 8, 1705. This is referred to my Lord Treasurer for her Majesty's charity, the poor petitioner being a very great object of compassion." *In another hand*—" 18 July, 1705. " There is nothing done, these pensions being all determined by the French war, and there has been no fund since given for any of them."

A duplicate copy of the petition.

Enclosed in a letter from Jane Hussey to Harley.—Acknowledging his kindness. The particulars of her misfortune have been " manifested " under the hands of Sir Thomas Lane and other eminent merchants and aldermen of the city of London. If her Majesty is not pleased to grant the prayer of the petition, she hopes that something may be afforded out of the Royal bounty to enable her to return to New York.

W. HOUSTOUNE.—Whereas the late King and Queen " instituted 40*l.* annually for the acceptable service commenced and continued since the Bishops' incarceration, which service is in Lord Treasury's hands and Secretary's confirmed and continued by your Majesty's reiterate mandates, witness the receipts in Mr. Taylor's hands ; notwithstanding we never ask a farthing more, but laboured faithfully and successfully to complete this Union against the rebellious design of those addressers, so that by great fatigue your petitioner lies under inflammation terminating in death, yet I cannot have one 40 *lib.* or two to succour me in sickness till your Majesty be acquainted." (*Also a duplicate of the same.*)

Enclosed in a letter to David Fearne, advocate.—

1705, July 21. Near Edinburgh.—Our fraternity, of which you have formerly been Provost, hopes you may continue steadfast to God's interest. " I have enclosed a letter to Mr. Lewis in which I mentioned your being nominated collector of Orkney and Caithness . . . as also a letter within this with a memorial to her Majesty. . . . After writing these, the fraternity and I thought fit to send the enclosed memorial, which you may give to honest Mr. Lewis ; for as David and Jonathan, so our hearts unite for the Protestant interest. . . . To prove your diligence, wait upon the Secretary when he goes unto the Queen, though ye should go over England ; though there may be reasons of state to delay signing Colonel Bruce's commission."

THOMAS GREEN, Master of Arts.—Robert Jauny, the present incumbent of the rectory of Woodchurch in Wyrrall, Cheshire, to procure his presentation thereto, entered into a " simonical contract " with the person who had the right to present, to pay

certain sums of money yearly contrary to the laws, by which act, the rectory is become void and in the Queen's gift. He prays to be presented thereto "if it shall become void."

With reference to the Bishop of Chester to examine and report. *Signed* Robert Harley. "At the court of Windsor, July 29, 1705."

Annexed, Informations of William Robinson, schoolmaster at Woodchurch, and William Bennett of Thingwall in the same parish, yeoman, taken before the Bishop of Chester, September 1, 1705, shewing that after the death of the late rector, Hugh Burches, Jauny had entered into a contract with George Burches, (late deceased) then patron of the living, that he would make over the profits of the rectory to Burches, reserving to himself only 50*l.* a year, that is, the glebe, the tithe of the township of Woodchurch and the surplice fees. Further, Burches, having had a presentation drawn out for Mr. Dod, rector of Malpas, afterwards caused his name to be razed out and Jauny's substituted to save the expense; also that Burches had said that when Jauny died he had bargained with another at a cheaper rate.

Endorsed by Nicholas Strafford, Bishop of Chester—"I am of opinion that these informations are sufficient ground for her Majesty to grant her Royal presentation to the petitioner. September 3, 1705."

JOHN TILLY, esquire.—Prays that the Queen will take into consideration certain reports specified concerning his suit with Mr. Baldwin Leighton for the wardenship of the Fleet prison, grant him the moneys due to him, and establish him in the execution of the said office.

Endorsed by Harley—"Cockpit, August 8, 1705. Read. Refused."

JOHN HENRY HUGUETAN.—Paul Breton, formerly his book-keeper, was in September, 1703, commanded to depart the kingdom, being under the displeasure of the Government. The said Breton went to Holland and returned with a passport of Mr. Stanhope; and on his arrival was taken into custody, and remained prisoner above a year, but recovered his liberty on condition of departing the kingdom for ever. Has occasion for Breton's service, and his departure would give petitioner's enemies cause to say that the Queen had withdrawn her protection from him, which would be very prejudicial to his reputation and credit. He prays therefore that Breton may remain in England as a Protestant refugee, he himself giving security for his good conduct in 1,000*l.*

Endorsed, August 17, 1705.

CHARLES SALUSBURY, esquire, late captain in the foot-guards.—On a former petition, in consideration of having lost his command

and his wife's pension, the said pension was restored, but he expressly excluded from any part of it. Has been nearly a year out of employment and cannot pay the debts he contracted during the last war. Prays for employment or for some recompense in money, " having been guilty of no other offence than an unseasonable but very severe indisposition when commanded to Portugal."

Endorsed by Harley—" Received August 18, 1705. Read August 26, 1705. Nothing ordered upon it."

ELIZABETH BOUCHER.—Came from France after her husband with two small children, intending to secure for them an education in the Protestant religion, for which she has been a great sufferer in her own country. Her health is impaired by discontent and confinement. Prays for pardon and liberty for her husband and herself.

Endorsed—" September 7, 1705."

THOMASINE WRAYFORD, widow.—Her husband, Robert Wrayford, late of Wimple [Wimpole], in Cambridgeshire, in July last, laid violent hands upon himself, thereby forfeiting to the Crown the sum of 90*l.* laid out on a mortgage, which she had earned by her industry during his life. Prays for a grant of this forfeiture.

Endorsed by Harley—" Received October 23, 1705. Mr. R. Roberts. This to pass without fees."

THOMAS STEELE, late commander of the ship *Amity* of Boston in New England.—On a voyage from Boston to London, in October, 1703, the said ship was taken by a French privateer, and within three days re-taken by five Dutch ships and carried to Lisbon by Adrian Poy, where she now lies in the hands of Messrs. Paulus Loots and Anthony Cremer, commissaries for Dutch prizes.

One third of the ship's value and one third of the loading in specie was adjudged to the recaptors for their salvage; whereupon petitioner, getting free from his imprisonment in France, went to Portugal, and from April to September last applied to the commissaries, tendering the salvage regulated by the convention between England and Holland, and laying before them the damage caused by delay to the ship and her cargo. But they refusing to comply with the convention, (in consequence whereof the Royal customs have lost nearly 500*l.*), he craves her Majesty's protection, praying that on payment of the due salvage he may have his ship and cargo, as well as damages for their unjust detention.

Endorsed by Warre—" A letter sent to Mr. Stanhope by Mr. Secretary Hedges in the absence of Mr. Secretary Harley in the country, October, 1705."

Enclosed is certificate of the truth of the above statements from John Earle, Consul General for "her Majesty of Great Britain" in Portugal.

STEPHEN DE MEUVES, junior.—Was born of Protestant parents in France, and bred a Protestant, and has always lived with his father in Paris, assisting him in his trade as a merchant, and never was in any service or bore arms. Finding means to withdraw himself from the persecution in France, he has come to put himself under her Majesty's protection. Has ever continued in the Protestant religion without changing or signing any act of renunciation, and has lived soberly, as by the enclosed certificate will appear. He prays for leave to remain quietly in England, being very willing to conform to the laws of the kingdom, and to give security for his behaviour.

Endorsed by Harley—"Received November 3, 1705. Read November 4, 1705, and he to be examined particularly if his father be not banquier in Paris to the French King, and employed in his remisses."

Annexed, Certificate in French, dated at London, November 1, 1705, confirming the statements in the above petition, and signed by J. Mesnard, Pastor of the Reformed Church of Paris at the time when Stephen de Meuves was born there and baptized in the Temple of Charenton; Ph. Mesnard, Minister of the French Chapel of St. James; and C. Lamothe, Minister of the Savoy.

WILLIAM VICKERMAN, of Kingston-super-Hull, mariner.—Being at Stockholm on or about the 8 of May, 1704, he obtained a pass from the King of Sweden to travel to Warsaw, in order to purchase and lade a vessel there. He loaded her with pitch and tar for the tar company at Stockholm, and delivered the cargo to them after paying all the duties thereon. But on his requesting payment they put him off sundry times, and at last told him that the moneys were arrested in their hands by an officer called a fiscal, on the pretence that petitioner, being a stranger, "ought not to buy any commodities in that kingdom not of burghers." Although he showed the Swedish King's authority they seized his ship and cargo, laying a fine of two six-dollars on each barrel, and stripped him almost naked and threw him into prison, where he lay eight months, having no redress against the fiscal and the Company by reason of the King's absence. He therefore prays for letters of reprisal or such other redress as the Queen shall think fit, there being sundry of the said tar company's ships in her ports.

Endorsed—"Received November 24, 1705."

Also Vickerman's Case, which adds a few details. Dated Whitehall, December 26, 1705.

THOMAS BYFELD and COMPANY, of London, merchants trading to Carolina.—By their diligence and expedition, their ship, the *Dove*, has arrived from Carolina with a cargo of pitch and tar, which, upon trial, has been found good and very fit for her Majesty's service. But as the bounty money is not payable upon any pitch and tar imported before January next, they will be great losers by the voyage unless relieved.

[1705, November.]

Accompanied by their case. In March 1704, the Commissioners of Trade and Plantations promised them encouragement if they would import pitch and tar for the Navy. Fitted out their ship in May 1704. She arrived back in Lisbon last February, but waited there four months for a convoy, at great charges.

Also by copies of receipts for the pitch and tar imported by them to Woolwich, with a note of their fitness for the service of the navy. Dated October and November, 1705.

JOHN REEVES.—Was, at the last sessions held at the Old Bailey, convicted of the murder of Benjamin Williams, a bailiff's follower. There was no positive evidence against him, but several material circumstances in his favour, as is set forth in the case annexed. Prays for a pardon.

Endorsed by Harley—"Received December 8, 1705. Read December 9, 1705. Reprieved till further order."

Enclosed, Case of Benjamin Snow and John Reeves, relative to the death of Benjamin Williams. On Friday, November 30, about 8 o'clock at night, Snow and Reeves, with two gentlewomen, were just got into a coach and driving away when one Mrs. Kemblin stopped them and took Snow apart to speak to him. As he did not return Reeves alighted, and saw at some distance a tumult and several swords drawn. Snow, with his sword in his hand, was on the ground struggling with deceased, who had just arrested him at Mrs. Kemblin's suit. Reeves endeavoured to part them, and with the help of others present accomplished it and returned with Snow to the coach. The following Monday Williams died, and the next Thursday Snow was acquitted, but Reeves found guilty. The only evidence for the Crown was the bailiff's deposition that Snow's resistance had been overcome before the coming of Reeves, whom he believed to have given the wound. There was a difference of evidence as to what had been said by Williams before his death, some saying that he charged Reeves; others that he was ignorant which of the two it was. The gentlewomen attested that Snow said in the coach that "he wished he had done no mischief to the bailiff's follower, for he had run his sword against his belly with so much force, that if he had not [an] iron bodice, he was sure he was in him." Further that on alighting he found his sword bent, and seemed concerned and in dread for what he had done; while Reeves was very easy and appeared satisfied that he had only beaten down

the drawn swords. He never fled, but appeared publicly and with his master (Mr. Spencer Compton) that night. Though he could have found witnesses to prove that Snow gave the blow, yet he never sought for any, not suspecting Snow of such injustice as to turn the crime upon him. (3 pp.)

Duplicate of the same.

Another petition to the same effect (*undated*).

ANTHONY, COUNT BRANDE.—Of the Reformed Church of Bosnia, a subject of the Emperor, of the village of Kute [? Kotor], three miles distant from Bagnaluke, in Bosnia, a city under the jurisdiction of the Turks. On the 8 of March, 1704, the rebels from Hungary seized all his goods, burnt his house, and killed his parents. He alone survived with his sister Mary, aged twenty years. Being ordained a preacher of the reformed faith he cannot obtain employment in Italy, for Italians may not harbour heretics under pain of excommunication of the Pope and the Inquisition; nor yet in Holland because he does not know the language of the country, so he knows not whither to go. Since he is in his host's debt for board and lodging he prays her Majesty to number him among her refugees, and grant him a pension for his livelihood.

(Holograph petition in Latin).

Endorsed by Harley—"Received December 18, 1705. Disquisitionis opus est."

CAPTAIN MATTHEW COUDELL.—Had command of a company of foot for many years in France, which he quitted upon her Majesty's declaration issued by the Duke of Schomberg, to offer his service to her Majesty. Has been here three years without post or subsistence except what Mr. Secretary Harley has given him out of his own pocket. Prays for an allowance for the time past according to the said declaration, and a continuance until he be employed in the service.

(1705 *or* 1706.)

COLONEL (BALDWIN) LEIGHTON.—Having obtained a judgment in the Court of Queen's Bench that the office of warden of the Fleet prison is taken and seized into the Queen's hands, which judgment has been confirmed by the House of Peers, as appears by the Attorney General's report, dated September 14 last, he prays that the said office may be confirmed to him according to the late King's intentions under his privy seal.

(About 1705.)

JOHN WALLIS, Clerk.—About twenty years since Samuel Rich, clerk, was inducted into the rectory of Stratfieldsaye, in Hampshire, and has ever since received the profits thereof, though

he has not taken the oath in pursuance of the Act of the first year of King William and Queen Mary within the time there limited, whereby the said rectory became long since void. The next presentation being now come to the Queen, he prays that it may be presented to him under the great seal.

(1702-1705. Rich was instituted in 1678 and William Chapman in 1705.)

PRATT L'AISNÉ (l'ayné), Officer.—Came over with his late Majesty, and for his services obtained a pension of two shillings a day, but in 1701 his pay was four years and a half in arrear. Having contracted debts on the credit of this pension he prays that the arrears may be paid. *Endorsed as* "Recommended by my Lord Privy Seal."

Enclosed in a letter to Sidney Lord Godolphin, Lord High Treasurer.

Duplicate of the same letter, and another petition to the same effect.

(About 1704-1706.)

CAPTAIN JOHN NANFAN, late Lieutenant Governor of New York.—In 1688 he was first made Ensign, then Captain Lieutenant, and then Captain in the regiment under Colonel Hastings, in which he served in England, Scotland, Ireland and Flanders, till 1697. He then went with the Earl of Bellomont, Governor of New England and New York, exchanging his company here for one of the four independent companies at New York, and the King made him Lieutenant Governor of that place. Lord Bellomont dying early in March, 1700, he executed the office of Commander-in-Chief at New York till the arrival of Lord Cornbury. In 1702 one Peter Matthews, a lieutenant in one of the said four companies, came to England designing to deprive petitioner of his company, and falsely suggested that he intended to settle in the Barbadoes, whereby he was dismissed and Matthews obtained his commission. He prays that his Captain's commission may be restored. (1705-6.)

ABIGAIL CURTISS.—Her husband, John Curtiss has been in the Royal service sixteen years, and at Gibraltar he was shot in the head, out of which were taken several pieces of his skull, "five of which I have by me." He is now on board the transport *Friendship*, at Portsmouth (Captain Ward, commander).

Petitioner is very poor and with child, and has pawned her clothes. Her husband has four years' pay due to him, "but Agent Morgan, etc., holds him out of it, and Captain Pickering and Colonel Holt send me first to one and afterwards to another, and so back again from one to the other day after day." Prays for an order for payment of the said arrears. (1704-6.)

MARY WINTER, relict and executrix of Daniel Winter.—Her husband was first lieutenant of a company of marines aboard the *Restoration*, which company, with the ship's crew was lost in the great dreadful storm, as appears by the said ship's book. Her Majesty graciously ordered bounty of eleven months' pay to the widows, according to their husbands' rating by the navy, yet when she applied at the Navy Office, because the marines are of late not paid by the navy, the Commissioners took no notice of her husband's rank as Lieutenant and would pay her no more than 10*l.* 9s., as the widow of a private marine soldier, though according to his pay and quality it amounts to above 60*l.* She hopes that the Queen intended the same bounty to widows of marine officers "as to the commission and warrant, sea and ordnance officers," and prays for bounty accordingly, being left in debt.

Endorsed by Harley—"Received January 24, 1705-6. Referred to the Privy Council, January 27, 1705-6."

ELIZABETH WAY, ELIZABETH TWELVES, DEBORAH STENT, KATHERINE GARRETT, ELIZABETH HILL, and ANN FINCH.—Have remained for several months past in Newgate gaol, on the common side, under a respite from the death sentence, each of them being with child. They are forced to lie on the bare boards and to live on the allowance of the gaol, which is bread and water only, so that their young children are ready to perish with hunger and cold. Pray to participate in the pardon which has lately been granted to several other criminals.

Endorsed by Harley—"Received January 27, 1705-6."

ALEXANDER BARCLAY.—Has been a close prisoner at Newgate these eighteen weeks past for coming from France without acquainting the Goverment. Suffers from hunger and illness, so that he has neither flesh on his bones nor blood in his veins. Prays to be set at liberty. Dated January 29, 1706, Newgate.

Endorsed by Harley—"February 4, 1705-6. Send to Mr. Attorney to know how he may have air allowed him to recover his health.

OLIVER POCKLINGTON, Clerk, Chaplain in her Majesty's army.—Has been Chaplain to the regiment of horse at present commanded by Major General Harvey since July, 1693 (upwards of twelve years), and is one of the oldest Chaplains in the army. Has attended the said regiment in England, Flanders, Ireland, and Portugal, till now, with Lord Galloway's leave, he is come to wait upon her Majesty and prays for preferment in the Church.

Endorsed—"January 31, 1705-6."

JOHN DAVIES' PETITION TO THE LORDS AND OTHERS OF HER MAJESTY'S PRIVY COUNCIL.—Lies under their orders in Newgate gaol, with a wife and three children dependent on him. Has always been heartily loyal to the Queen, but being illiterate and

ignorant he did not know how to speak when brought before the Council, and did not intend to say anything which might give offence to them. Solemnly protests that if he knew anything to the prejudice of so gracious a Queen he would discover it. Prays therefore to be preserved from perishing "in this dolesome place," and to be set at liberty or else to be brought to a speedy trial, or to have an allowance made to him, as he is very poor and has no friend to assist him to procure a *habeas corpus*.

Endorsed by Harley—"Received February 19, 1705-6."

Appended is a note that petitioner's friend who delivered the petition awaits their Lordships' pleasure at the door.

GIDEON MURRAY, a Scotch gentleman.—Went abroad to travel in France and Italy with the Earl of Kinnoul, in December, 1687, and came home with him about six years ago. But being informed that by an Act of the last reign he is forbidden to come into or remain in England without a licence under the Privy Seal, and being like to be a material witness in a lawsuit now commencing between Lord Kinnoul and Samuel Jones, of Waltham Abbey, esquire, for valuable lands, and having other concerns to settle in London, he prays for a licence to come into England.

Endorsed—"Received February 25, 1705-6."

JOHN STATHAM, esquire.—John Shalcrosse, esquire, now deceased, was, by letters patent under the seal of the Duchy and County Palatine of Lancaster, legally vested in the office of supervisor or surveyor of and within the north parts of the Duchy, to him and his assigns during the life of Edmond Jodrell, of Yeardsley, in Cheshire, esquire, who is now living and in perfect health. The said office is by several mesne assignments now vested in petitioner. But he is advised that the service may be better pursued by an immediate authority from the Queen under an oath, whereby he will be enabled to appoint a deputy or deputies for the business of the said office, which is much augmented by the death of the Queen Dowager. He prays therefore that he may have the office for life (upon surrender of the said Edmond Jodrell) and that the Chancellor of the Duchy may be ordered to prepare a warrant for the royal sign manual.

Endorsed—"Petition of John Statham, esquire, from Lord Gower, February 28, 1705-6."

LOUIS TOURNAY and MATTURIN BOURLIER.—Are French traders and have never been employed by any Prince or State. Came from Holland with passes from Mr. Stanhope, envoy extraordinary at the Hague, purely to buy East Indian goods at the sales beginning March 5. Being seized as alien enemies they pray to be at liberty to buy the said goods (being ready to give security for their behaviour) or to have leave to return to their own country.

Endorsed—"March 4, 1705-6."

SIR JOHN SHELLEY, of Mitchell Grove in the county of Sussex, baronet.—Prays for a Royal pass to enable him to travel in such countries as are in amity with England. *Signed.*

Endorsed—" Received March 15, 1705-6." *In another hand*—" Mr. Harley to enquire into the circumstances."

JOHN BAXTER, mate to the chief-firemaster, and SHADRACH FOX, founder.—Have served the Government under the Board of Ordnance, and have jointly at their own long study and great charge discovered a new invention for making square and conic-chambered guns and mortars and square shells, experiments of which have already been shown before the principal Officers of Ordnance, who reported thereon to the Duke of Marlborough. They pray that the Queen will grant to them and all " claymors " under them the Royal patent for the sole use and benefit of the said inventions for a term of fourteen years, and they will bind themselves to supply the Office of Ordnance with all quantities of guns, mortars, and shells as aforesaid as cheap as any other tradesman.

Endorsed by Harley—" Received April 6, 1706."

HANNAH MACDONELL.—Is minded to send her sons James and John to the university and academy of Utrecht, and after a while to place her younger son as an apprentice to a merchant in Holland. She thinks it necessary to send a servant to take care of them on the way and to see them settled at the university. Prays for a Royal licence for them to go into Holland.

Endorsed—" Received April 9, 1706."

GEORGE, VISCOUNT MORDINGTON, in the kingdom of Scotland.—The Earl of Kent, Lord Chamberlain, delivered a petition on his behalf about six weeks since. He lies in one of the worst parts of Newgate for a debt of about 50*l.* Prays for an answer to the said petition.

Endorsed—" April 22, 1706. Left by Mr. Weeden."

JAMES BAYLY, mariner.—Was in 1673 and 1674 mate and gunner of the *Mary* yacht, and has been in the merchant service near thirty-six years, doing good service, as by certificate of Trinity House will appear. By the standing rules of the navy he cannot become commander of any warship without her Majesty's special favour, though he is willing to demonstrate how with two frigates he can take or destroy the French West India merchant fleet. He therefore prays that his proposal may be referred to the Lord High Admiral, and that he may be employed in the command of one of the frigates.

Whitehall, 1706, April 24.—The matter has been referred to the Lord High Admiral's Council.

Also:—

Report of Prince George of Denmark, Lord High Admiral, on the above petition.—That when frigates can be spared for such service Bayly may go on board one of them and give his assistance to the officer commanding in chief; and if the latter can produce a certificate that Bayly's advice has contributed to any service done by them, Bayly may be suitably rewarded, but ought not to command a ship in the navy, as he is not regularly qualified for the same.

Admiralty Office, 4th May, 1706.

Petition of James Bayly to the Lord High Admiral.—In relation to the above Report, hopes that he may be allowed to command one of the frigates for six months only, without breaking the rules of the Navy, but does not expect any subsequent command or any benefit arising from this commission for himself or his family; nor does he desire any pay unless he succeeds. But if he goes on board a ship without command, he hopes for a captain's share of any prizes taken.

Petition of the same to the Queen.—Recites his proposals and previous requests, and prays that he may be granted command of one of the frigates, or that he may go with a certain captain who is willing "to accept of the command of the same to the desire of petitioner," or that he may go into the service of some allied prince or state. (4 *pages. Copies.*)

JOHN LORD POWER.—Has served many years in France and Germany with the English forces sent abroad by Charles II., and upon a peace went again abroad with that King's letter, where he continued during the two late reigns, and on her Majesty's accession commanded a regiment of 1,400 men in the French service, which he had had fourteen years, and had the offer of promotion to be a major-general. Being, however, ambitious to serve the Queen and to live under her protection, he quitted the said service and all offered advantages rather than serve her enemies.

His ancient inheritance in Ireland, and a considerable fortune he had with his wife, being seized and sold, besides other great sufferings of himself and family, as set forth in the annexed report of the late Duke of Ormond, and having nothing to support himself, his numerous family, and the title lately fallen to him by the death of the Earl of Tyrone, he prays her Majesty, in regard he is the only surviving heir of so ancient and loyal a family, which has flourished in Ireland since the conquest thereof, some consideration for the support of his honour and family.

Endorsed—" Received April 23, 1706."

Annexed is copy of the Duke of Ormond's report referred to, dated Kildare, 25 September, 1684, on the services of John Power and his father, Pierce Power, late of Monnylargy, co. Waterford, and on the circumstances in which their estates were lost.

CAPTAIN THOMAS LEGG.—Has served as captain of several of her Majesty's ships and in 1704 of the *Antelope*, at Lisbon and the Straits, from which service he was dismissed at a court martial. Not being conscious of having been wilfully guilty of breach of orders or want of duty, yet through inadvertency or intervening accidents any man may fall under a censure, and as this is the first which ever befell him, he prays that his dismissal may be taken off, and he again employed.

Endorsed—" April 26, 1706."

Accompanied by the report of Prince George to the Queen that he cannot advise Legg's restoration to a command in the fleet. *Signed* and *dated* July 24, 1706.

Also by the minutes of the court martial held at Lisbon, January 17, 1704-5, at which Captain Legg was found guilty of having, when sent by Sir John Leake to cruise off Cape Spartel and gain intelligence of the state of Gibraltar and the motions of the French, returned to Lisbon in three weeks without having been on his station, been at or sent to Gibraltar, called at Tangier or got any intelligence of the French, but had spent his time in taking prizes; and again, of having, when sent out clean to go to Gibraltar or get intelligence, returned to Lisbon in ten days, with a prize, but with nothing else. He was therefore sentenced to be dismissed from his employment of captain.

ROBERT BLACKBURNE.—Petition to the same effect as that on p. 321; specifying the charge against Counter and the four other prisoners as that of conspiracy to assassinate the King, and Davis as the name of the messenger.

Endorsed by Harley—" Received April 28, 1706."

Three other petitions to the same effect and almost identical in diction.

MARY LOWNDES, widow of William Lowndes, late sergeant in Lord Barrymore's regiment.—Deceased served about eighteen years in the said regiment, going therewith to Catalonia; but since the said regiment was made a regiment of horse, he, with several other sergeants, was sent home by Lord Peterborough to serve in the regiment to be raised by Lord Barrymore. On the passage home he was killed on board the *Lyme* in a fight against three French privateers, on March 19 last. Petitioner being poor and far from her friends prays for relief.

Endorsed—" Received May 25, 1706."

Enclosed, certificate of his death " off Cape Rozend," attested by Henry Moryson, Duncan Campbell, and the Morocco Ambassador (*the last in Arabic.*)

JOHN COUNTER.—Having suffered above ten years' close imprisonment upon suspicion of having been concerned in a

conspiracy against the late King, is reduced to a miserable condition. Being left to her Majesty's will and pleasure by the late Act of Parliament, he prays to be released.

Endosed by Harley—" Received June 25, 1706."

REDMOND JOY.—Having heard from certain popish persons of a design against the Queen, to which he refused to engage himself, and having "all along" served the Government industriously, "any time since 1691," as set forth in his letter to the Right Honourable Robert Harley, esquire, of the 16th instant, he has yet been confined in Newgate for seven weeks in a most deplorable condition. He is willing to become a new man and to mend his life, and to make a full discovery of the said design to Mr. Harley on the assurance of her Majesty's protection against further damage. Prays for relief.

(About June 26, 1706.)

HENRY ROBINSON.—Has been condemned to death for stealing a horse. His prosecutor has recovered the horse and is desirous of saving petitioner's life, this being his first offence. Prays to be transported.

Endorsed by Harley—" Received at Windsor, July 14, 1706."

NATHANIEL BOOTH, esquire.—Praying for a grant of the stewardship of the Court belonging to the Honour and Castle of Windsor. (See Petition Entry Book, 1704-1709, No. 2, *page* 221.)

Endorsed by Harley—" Received June 12, 1706."

Another petition from the same.—The Solicitor-General reported that upon a surrender to be made to the Queen by Thomas Staples and John Whitfield, grantees of the office, she might gratify petitioner by granting the said office to him if inclined so to do. He therefore prays for such a grant, with as full powers and privileges as have heretofore belonged to it.

Endorsed—" Received July 22, 1706."

Enclosed is the report referred to, signed by Sir Simon Harcourt, July 6, 1706.

CAPTAIN RICHARD LONG.—In the last reign he commanded the *Rupert* prize, and went on a voyage of discovery in America, and first laid the foundation of commerce with the Indians on the coast of Darien, where he learnt of the gold mines of Cany. Could he have been heard on his return to England, and fitted out with 120 seamen at the beginning of the present war, he might have brought 50,000*l.* in gold by the plunder of the mines. Finding that Mr. Secretary Vernon would not give him a hearing, he laid the matter before Admiral Benbow, then bound for the West Indies, who prevailed with the lords of the

Admiralty, to put him into the *Lewis* prize hulk at Jamaica, the admiral proposing to take him as pilot, but being prevented by his misfortune. Petitioner has ever since spent his time in her Majesty's service in Jamaica, and is but lately arrived in England. The Queen's subjects in Jamaica, called the privateers, at the beginning of the war plundered the mines, but from want of true knowledge brought away only 64*l.* in grain gold, as petitioner can prove by a map. At his first setting out, he proposed to the Duke of Shrewsbury to have 200*l.* for expenses, presents for the Indians, &c., but only received 150*l.* in malt tickets, which he could make but 105*l.* of. His expenses came to 185*l.*, so that he is 80*l.* in disburse. He therefore prays that his case may be considered, and that he may be reimbursed the said sum. *Also duplicate.*

Enclosed in letter to Harley, mentioning that Lord Pembroke had given him leave to use his name, bidding him enclose a copy of his former petition. He has paid 37*l.* of the money since he came home to Sir Bartholomew Gracedieu, Member of Parliament (for St. Ives.)

(About 1706, July.)

WILLIAM KEITH.—His parents and family in Scotland have suffered so much by his confinement in England that they can no longer assist him with the necessaries of life. He prays for employment in the Queen's service, or for a small subsistence.

Endorsed by Harley—"Received August 5, 1706."

ALICE LISTER, widow.—Her husband, Lieutenant Thomas Lister, died last Christmas before Barcelona. Prays to partake of the Royal bounty to enable her to return to her children in Ireland.

Enclosed in a letter from (Captain) Robert Gardner (? to Robert Harley,) dated August 17, 1706, and praying that some bounty may be procured for Mrs. Lester, widow, whose husband was in Lord Charlemont's regiment.

Also Lord Charlemont's certificate of the same date setting forth the services of Lieutenant Thomas Leicester, who died about eight months before, having risen from the rank of private soldier.

SIMON CLEMENT'S Memorial.—Formerly made a proposal to import pitch and tar from an unfrequented place at lower prices than are now given owing to the present monopoly of the said commodity by the Swedes if her Majesty would advance 500*l.* This was referred by the Council of the Lord High Admiral to the Commissioners of the Navy, who reported their willingness to encourage the trade, but not knowing the name of the place would give no judgment thereon. By Secretary Harley's direction he has imparted the whole matter to Mr. Churchill, who advises

him to apply to the Lord High Treasurer to have the said sum advanced. He prays her Majesty to order that the sum be advanced, upon his giving bond to render an account of its employment.

Endorsed by Harley—"Received August 31, 1706."

THOMAS LYFORD.—Has been convicted for unlawfully taking from Ellianor Soames one stuff gown and petticoat, one silk handkerchief, five half-crowns and one shilling, and other goods, and lies a convicted prisoner in the gaol of Kingston-upon-Thames. He is not yet 18 years of age and it is his first arraignment. Prays for mercy.

Endorsed by Warre—"Letter to the Sheriff to forbear execution."

(About September, 1706.)

FRANCIS TAYLOR, of South Littleton, in the county of Worcester, gentleman.—Being aged and infirm, he desires in case of his death to commit his affairs to his only brother, Ralph Taylor, D.D., who went some years since without licence into France to take care (as a divine of the Church of England) of the Protestants attending the late King James, and has been some time in Holland. Prays for a Royal licence for his brother to return to England.

Endorsed by Harley—"Received November 22, 1706."

WILLIAM BENTLEY.—Lies under sentence of death for a very small offence. Has served at sea for above four years and was but just come ashore when he "accidentally fell into bad company, which brought him into this unhappy misfortune." Being an able seaman, he prays to be sent into her Majesty's service.

Endorsed by Harley—"Received at Kensington, December 8, 1706. Read. Not pardoned."

SARAH BUTLER, widow of Captain James Butler.—Lost her husband and three sons in the service, and her daughter was most barbarously murdered before her eyes. She herself escaped with three terrible wounds and had her house burnt, being left with two grand-children and no earthly subsistence. She has been a prisoner for debt for two years past, and has certificates to shew that she is no cheat. Prays to have the pension given her by King William restored, or to be assisted by her Majesty's bounty to return to her own country.

Endorsed by Harley—"Received December 17, 1706."

(Further particulars enumerated, for which see *p.* 323 above).

Another similar petition is *endorsed* September 14, 1706.

THEODORE BEAMOND.—Lies under sentence of death for a felony, committed while drunk. Is not able to read and had only returned five weeks from the Queen's service, having served at

sea, and at the reducing of Barcelona, and in all the Spanish expedition. Prays that his life may be saved, to be spent in her Majesty's service.

Endorsed by Harley—" Received at Kensington, December 11, 1706. Read. To be transported."

GEORGE TOBIAS GUIGUER.—Is a " Swisser " by birth, and a naturalized Englishman, having lived several years in England. He has several matters to regulate with his brother and other relations in Paris, which require his personal attendance. Prays for a Royal licence to go into Holland and thence into France, giving security for his conduct and loyalty.

Endorsed—" December 22, 1706."

COLONEL AMBROSE NORTON.—Was Lieutenant-Colonel of her Majesty's " own Royal regiment of horse when Princess Anne," and surveyor of the mews to the late Kings Charles and James above 24 years. In 1688, when a new establishment of the stables was made, petitioner and Mr. William Bancks, surveyor of the stables at St. James', were left out and Mr. Francis Negus put in their place. Soon after the Queen's accession petitioner and Mr. Bancks petitioned to be restored to their employments, and after reference to the then Lord Treasurer and Commissioners of the stables, it was decided that Mr. Negus should be continued in his post, and that 120*l.* a year, being the salary of one official, should be divided between the then petitioners; but that on the death of any one of them "then the two survivors would be provided for, one by the employment and the other by the full salary." He prays, therefore, that he may be restored to the said employment, now vacant by the death of Mr. Negus.

(? After January, 1706. See Harley Papers, *ii*, *p.* 279.)

GEORGE VANE, gentleman.—Is grandson to Bishop Carleton and of the family of Raby Castle; and during ten years absence from England has served the late Emperor against the Turks in the regiment of the Prince of Montbeliard; afterwards the State of Venice, as engineer; and lastly in the service of the Elector of Bavaria, whence he could not obtain a dismission before the arrival of the Queen's forces, nor since, till the latter end of last winter. Being esteemed a skilful engineer, he prays for employment in the army. (1706.)

Enclosed is certificate of Marshal the Count d' Arco, knight of the golden fleece, general of the artillery to the Elector of Bavaria (and other titles) that Captain George Vane has served two years as engineer in the electoral forces. Dated at Brussels, April 18, 1706. Fine seal.

ROBERT STRONG.—About April 15th last was appointed master of a merchant ship, for which he was to have had 6*l.* per month, besides other perquisites as master, which he has lost by being

detained as evidence in the suit against James Hannan, of London, merchant. Prays for compensation both for time lost and for his future attendance. (1706.)

OWNERS AND FREIGHTERS OF THE SHIP *Worcester*.—"Having hitherto forborne all proceedings in Parliament in order to their obtaining a satisfaction for their loss of the said ship and cargo, and being resolved still not to do so until the great and glorious affair of the Union shall be over," they pray that as soon as the Union bill shall be passed in the House of Lords, they may obtain satisfaction by the method in the annexed proposal. (*Copy.*)

Enclosed is the proposal alluded to.—A company to be founded independent of the East India Company and trading with the countries where that company has hitherto enjoyed a monopoly. The new company to enjoy certain exemptions from toll and to have legal authority to extirpate piracy in Madagascar and elsewhere. (1706.)

SIR EDWARD MANSEL, of Margam, in Glamorganshire, baronet.—Took from the executors of Philip, Earl of Pembroke and Montgomery, in 1675, an assignment of a lease of the castle and lordship of Ogmore, with certain rents and services, which lease the said Earl had taken from King Charles II. in 1661. His Majesty granted Petitioner a fresh lease for 31 years, but in 1688 William Knight surreptitiously obtained a lease of the premises in trust for Sir Humphrey Edwyn, and in 1701 procured an extension of the lease till 1719. Petitioner's own lease having expired last Lady Day, he prays that the remainder of the lease to Knight and Edwyn may be granted to himself. (1706.)

SARAH D'ORE, spinster.—Sets forth her claims against Robert Wrayford, deceased, which she had mentioned in her petition in May of the previous year. Prays that the Lord Treasurer may be commanded to prosecute Mrs. Wrayford, or that the said widow may be allowed to free the land mortgaged from its present encumbrances in order that it may be sold.

(1706.—See Calendar of Treasury Papers, 1702–1707, *p.* 442.)

ELLINOR CONWAY, widow, relict of John Conway, gentleman (a captain in the Duke of Bolton's regiment), and daughter of Hewet Finch, esquire, deceased.—Prays for payment of 50 guineas out of Mr. Nicholas' office, and a pension in respect of the arrears due out of Lord Ranelagh's office.

(1706.—See Calendar of Treasury Papers, 1702–1707, *p.* 452.)

Also a similar petition.

LADY MARY COCHRAN and WILLIAM COCHRAN, ESQ., her husband.—Memorandum setting forth the services of Alexander Earl of Kincardin, deceased, to King Charles II., and the pension granted

to his son and ratified by the Queen, of which 9,000*l.* is owing to Lady Mary. When the last earl, Lady Mary's brother, died, she was informed of the Queen's intention to continue the same pension to her which her brother had. The last earl resigned the honours of the family in favour of Lady Mary, his eldest sister. But Sir Alexander Bruce, pretending to be heir male, though "descending from the family long before they were nobilated," was admitted to take his place at the last sessions of Parliament in Scotland, but the point of right between Lady Mary and him was remitted to be determined by the Lords of Session, who found that the honours of the family of Kincardine were legally conveyed to her.

(1706-1707.)

ANTHONY MERRY AND OTHERS, merchants.—Their ship, the *Trumball* galley, of 350 tons burden, in her return from the Canaries, was taken by four privateers and carried into Dunkirk. They beg for a licence to buy the ship and cargo at Dunkirk and bring them to England, where the customs on the cargo—wine and logwood—will amount to at least 6,000*l.* sterling.

With Reference to Mr. Attorney or Mr. Solicitor General, dated Kensington, February 23, 1706-7.

Endorsed by Harley—" Received January 22, 1706-7. February 23, referred to Attorney General."

Also—

Report by Sir Edward Northey (Attorney General) on above petition.

1706-7, March 4.—Her Majesty may, if she pleases, give the petitioners a licence to redeem the ship and goods; and for that purpose may license their agents to go to Dunkirk; but the goods having been imported into Dunkirk may be liable to be seized if imported here, and I cannot advise the inserting in the licence leave to import them into England; but to leave it to the merchants to dispose of them as they may by law, and Her Majesty may lawfully grant a pass for the sailing of the said ship. *Signed.*

Also memorial of the same petitioners praying that if they may not have a pass to bring the ship and also the goods to England, they may have licence to buy them and a pass to carry them to Holland or Hamburg.

ROBERT JACKSON.—Has remained in the public service in Sweden ever since Mr. Robinson left that kingdom. Received credentials from Sir Charles Hedges, late Secretary of State, in 1703, and has ever since corresponded with Mr. Harley without any salary for his subsistence. Prays for an allowance.

A memorandum concerning him states further that he has spent above 1,000*l.* in the service as Queen's agent at Stockholm, in four years, since his appointment.

(February, 1707.)

ELIZABETH WANDESFORD, widow and relict of GARRET FOULK, esquire, and ELIZABETH FOULK, his daughter.—The said Garret Foulk, brother to Sir Francis Foulk, was for his early service of King William in Ireland, condemned for high treason and imprisoned for sixteen months at Galloway and Dublin, his whole estate being seized. After the said King's victory at the Boyne he obtained his liberty and went volunteer to the battle of Aghrim with General Kirk, being recommended by the Duke of Marlborough; at which battle he lost his life together with two of petitioner's brothers. After other losses she petitioned the House of Commons, who passed a bill for her relief, which bill was read in the House of Lords, but she was not able to follow it owing to the fatigue of attendance and a fit of sickness, and grief at the news of the death of her only brother and nephew in the West Indies. The bill therefore never became an Act, and cannot be brought into the House again by reason of the vote now made that no petition shall be received without the Queen's leave and recommendation. She therefore prays for similar treatment with Mr. Baker of Ireland, whom the Queen has recommended to Parliament in a case of the same nature.

(After February 28, 1706-7. See H. of C. Journals, vol. xv., p. 316. See also p. 86 of present volume.)

JOHN CROCKFORD, bricklayer.—Aged about 22 years—Was deluded by evil company into housebreaking, for which he lies under sentence of death at Kingston gaol. This is his first offence, and being in the prime of healthful years he hopes for the opportunity of a more worthy end than the fatal tree. Prays to serve abroad.

Endorsed by Harley—"Received from Her Majesty, March 19, 1706-7."

CHARLES GILDON.—Has by an unhappy mistake, and not out of any malicious design against the Government, been concerned in publishing a pamphlet called "*Sir Rowland Gwynne's Letter, etc.*"; that he has had a liberal education and fortune; that he expects this term a sentence more terrible than death for his offence; that he is under the greatest sorrow and contrition, and will hereafter always abhor and avoid all licence in speech and writing; and therefore prays that Her Majesty will grant him a *noli prosequi*.

Endorsed by Harley—"Received May 2, 1707. Read May 4, 1707. He to apply again after sentence."

THE MUSCOVIA COMPANY.—Having been this morning informed by the Prince's Council that one ship of 40 guns is all that can be added to the convoy for Russia, to see them as far as the latitude of 63°, which, considering the number of ships and the value of their cargoes, they cannot think sufficient; they there-

fore pray that the ships of war employed in the coal trade may accompany them as far as 63°, which may be done and the ships be back at Newcastle in ten days time. May 22, 1707.

Enclosed in letter from Benjamin Ayloffe, Governor of the Muscovia Company, to Robert Harley, requesting him to pray the Queen's favour. Same date.

Accompanied by letter from J. Burchett to Robert Harley.—1707, May 22. Admiralty Office.—The Prince and his Council have considered the petition of the Russia Company, which you forwarded yesterday, and in answer thereto I am to acquaint you that the squadron observing the enemy's ships at Dunkirk is but barely strong enough for them; but if Her Majesty thinks fit the *Ludlow Castle*, of 40 guns, designed to guard the fishery off Hastings, shall join the Russia convoy as far as the merchants request.

JOHN GRAYDON.—Has served in the navy twenty-six years, rising to be a vice-admiral; but not having been employed for some time past he prays to be placed on the half-pay list from the time when the Queen made no further use of his service.

Endorsed by Lewis—"Received May 30, 1707, *and by Harley*, June 8, 1707. Mr. Graydon's petition read. No answer."

Enclosed in a letter from Mr. Hill to Lewis, requesting him to put the petition into Harley's hands to be read to the Queen, and referred to the Prince or to his Council. *Endorsed* May 31, 1707.

JAMES MURRAY, gentleman.—Was in January last apprehended in Northumberland, upon the information of Patrick Graham, who was committed to the county gaol for several highway robberies. In April last petitioner was removed to Newgate. At the two following sessions of gaol delivery he hoped to be discharged, there being no prosecution against him. Yet he remained in gaol till the last sessions, when the court censured Graham for having brought no prosecutor; but Graham promised to have a gentlewoman ready at the Berkshire assizes to prove that petitioner robbed her of a guinea, though he refused to name the person or the occasion. Petitioner is ordered to be sent to the said assizes and Graham is respited as evidence against him. He therefore prays for a *noli prosequi* or a reprieve in order for his pardon in case the jury should convict him on Graham's evidence.

Endorsed by Harley—"Received from Lord Mar, July 17, 1707."

Duplicate of the same (3 *pp.*)

ANNE PUGH, widow of Captain Richard Pugh.—Her husband after serving the Government faithfully for seventeen years, and last as commander of the *Norwich*, was cast away by a hurricane in the West Indies, with a rich prize taken from the enemy

eight days before. Her only son was lost in the same service, and she left in charge of a daughter and burdened with debts and other misfortunes. A petition on her behalf was lately presented in Council, which moved the compassion of all present, only for preventing of precedents it was thought fit to leave her to Royal charity. Prays for an annual subsistence.

Endorsed by Harley—"July 20, 1707. Referred to Lord Treasurer."

FISHERMEN OF ROCHESTER, STROUD, GILLINGHAM AND OTHERS. In support of their right to fish in the "great arm of the sea, called the East grounds," into which the river Medway runs. (Transcribed in Petition Entry Book 1704-1709, *p.* 304, dated July 26, 1707).

Enclosed in a report from Sir James Montague (Solicitor General) finding that the holding of manor and hundred courts for the purposes alluded to in the petition by the lord of the manor of Milton is an usurpation of the right of the crown and an invasion of the liberty of the subject; and recommending that an information in the nature of a *quo warranto* be brought against the said lord of the manor and those acting by his authority. Signed and dated September 20, 1707. (6½ *pages*).

Also copy of a memorial from the said fishermen and others "the original remaining in the Registry of the Vice-Admiralty Court of Kent." (16 *pp.*)

PATRICK GRAHAM.—After discharging several trusts and employments honestly and faithfully, as appears by the certificates annexed, he was at last unfortunately drawn into gaming, and from that to robbing on the highway, in which practice, being apprehended, he made a full confession of all he knew, and made a discovery of several notorious highwaymen; among them of one Murray who is now in Newgate with him, but finds means to keep those whom he robbed from appearing against him, so that petitioner's evidence is likely to be rendered useless and himself exposed to the utmost malice of a revengeful gang of robbers. He prays therefore for a pardon on condition of serving in the army beyond sea.

(About July, 1707.)

Enclosed are the certificates alluded to.—(1) A printed pass from Sir Charles Hara, brigadier general of the King's armies and colonel of the Royal regiment of Fusiliers, to return to the Island of Scilly, after faithful service as sergeant in captain Ambrose Edgeworth's company in Major-General Earle's regiment of foot, dated March 1, 1697[-8]. (2) A commission from John Dod, commissioner for recovering and receiving the rights and perquisites of the Lord High Admiral, to act as tidewaiter in the Scilly Isles, dated December 19, 1702. (3) A discharge from the first troop of horse guards, commanded by the Earl of Albemarle,

signed by Lieutenant Bartholomew Ogilby, June 2, 1705. (4) A certificate of good service in the said troop, signed by eleven officers, June 28, 1707. (5) A certificate signed by William Arnald, E. Folkingham, and Robert Wylde, wholesale drapers in Cheapside, stating that Graham and his wife had been dealers at their house for many years and had dealt very honestly and justly at all times. Dated June 26, 1707.

CHARLES MOORE.—Lies under sentence of death for felony. Has been in the Royal service fifteen years, and was wounded on Her Majesty's ship the *Newport* near Barcelona. Prays to be transported.

Endorsed by Harley—" Received from the Queen September 7, 1707. Read at Windsor."

(In a report of gaol delivery of Newgate, May 28, 1707, Moore is committed to the house of correction for twelve months for theft, and in a report of the same, September 3, 1707, he is sentenced to death for theft, with a note that he was within the benefit of clergy, but had had his clergy allowed him formerly).

Several INHABITANTS of the borough of Devizes and of the places adjacent thereunto and using the market there.—Setting forth the constitution of the borough and its special Justices of the Peace. For some time past there has been a contest at law as to the election of the mayor and common councilmen, and two persons have acted as mayor since Michaelmas last, and have also both acted as beadle and claim toll from those selling corn in the market, to the great disturbance of buyers and sellers. On April 24 last, after a general thanksgiving for the Union had been quietly proclaimed, George Duckett, William Pynsent, John Eyles, and Josiah Diston, Justices of the Peace for the county, but not concerned in the government of the borough, in abuse of their authority went to several of the petitioners and others and demanded toll, using menaces to such as would not pay it to the person they nominated. Mr. Duckett, on being civilly desired by Mr. John Child, a magistrate of the borough, not to disturb the market or interpose in the affairs of the borough, drew his sword almost out of his scabbard at him; and all the said Justices caused a tumult in the market, which, upon their going out, was quiet. Nineteen of the petitioners have been indicted for a riot on their evidence, and have been represented as enemies to the Government. At the last assizes Mr. Justice Gold declared that the meeting was not riotous, but lawful; yet the jury found five of them guilty. Many of them have suffered imprisonments and oppressions at the hands of the said Justices. Wherefore they pray for consideration. Dated September 20, 1707. Signed by Richard Hiller, mayor, and sixty-seven others, including several " country gentlemen and farmers that constantly use the market."

Endorsed by Harley—" Received November 14, 1707."

WIDOW of the late JACOB HAMPSON, esquire.—Her said husband, walking home lately to his house in Hogsdon, was most barbarously murdered in the fields by persons unknown. Prays for a pardon to any person concerned in the crime except the murderer, who shall lead to the conviction of his accomplices.

Endorsed by Harley—"Kensington, November 23, 1707. Read. Granted."

Another petition from George Fielding to the same effect.

Endorsed by Lewis—" November 19, 1707."

The BAILIFF and BURGESSES of the borough of Bewdley.—Their predecessors were incorporated by a charter of King Edward IV.'s reign, and have since received additional privileges. In 1699 a petition was exhibited to the King in Council suggesting that a charter granted by King James II. was void, in defence of which they were put to great expense. Being now informed that the Queen has received a petition suggesting that there are several vacancies which cannot be filled without a new charter, "which suggestion is untrue," they pray to be permitted to continue in the enjoyment of their privileges, and that no new charter may be granted. *Draft.*

Endorsed by Harley—" Received November 25, 1707."

CHARLES GILDON.—Was fined 100*l.* for being concerned in publishing *Sir Roland Gwynne's letter to the Earl of Stamford*, which he is wholly incapable of paying. Prays that it may be remitted.

Endorsed by Harley—"Received from Mr. Manwaring, November 27, 1707."

MARY LOW, widow.—On behalf of her son, Richard Low, now under sentence of condemnation in Newgate, having been convicted of a robbery. He is not yet 25 years old, and it is his first offence. He has two brothers serving in the West Indies on board Her Majesty's ship the *Expedition*. Prays that he may be transported.

Endorsed—" Read December 14, 1707."

(In a report of gaol delivery of December 10, four burglaries are recorded against him.)

JOHN HALL.—Convicted of a felony and burglary in Stepney. Though guilty of many crimes and offences he has been wrongfully accused in this case. Has given information before Mr. Justice Cross at Westminster and Mr. Justice Railton whereby several offenders have been convicted. Has been a sailor and prays that his life may be spared to be spent in defence of the nation.

Endorsed—" Read December 14, 1707."

JOSEPH MONTEZINES DAY.—Lies under sentence of death for a felony by the information of Wm. Jones, a notorious offender. Is a Jew, and not being acquainted with the conversation of this kingdom was innocently drawn into bad company. Has a wife and four children. Prays to be transported.

Endorsed—" Read December 14, 1707."

(In a report of gaol delivery of December 10, 1707, seven charges of burglary are proved against him).

THE GENERAL CONVENTION OF THE ROYAL BOROUGHS IN SCOTLAND.—Concerning certain complaints of merchants trading with England, whose goods and ships have been seized by order of the Commissioners of Customs contrary to the terms of the treaty of Union of " the first of May last." Praying that the grievances may be removed.

Annexed copy of the petition of the merchants to the said convention, praying that their case may be laid before the Queen. *Note by Defoe.*—" This is the petition of the merchants on which the address on the other side is founded."

(1707.)

JOHN CHAMBERLAYNE.—Having for some years past published a book entitled " *The Present State of England*," he has now prepared materials for " *The State of Great Britain*," and is ready to publish the same as soon as the property of his copy shall be secured to him. Prays for a privilege of publishing the said book for such a term of years as to her Majesty shall seem meet.

(1707.)

WILLIAM KENDRICK.—On behalf of his son-in-law, Andrew Robinson, and the other persons now under condemnation in Scotland, who were on board the *Worcester* when the late captain Green was commander. Their reprieve has from time to time been prolonged, and as it is now drawing to an end he prays for a further extension.

(1706-08.)

THOMAS O'MORIARTY.—Came from France sixteen months ago, whither his father had carried him at the age of eleven to follow King James; but on his father's death he came to serve her Majesty. Mr. Secretary Harley can certify the propositions he made about Dunkirk and other French ports. He has also served all the last summer under Admiral Shovel, and obtained his certificate, having been volunteer with him for the intended expedition to France. But that expedition being altered he is out of employment, and his father's estate being confiscated and he having lost his commission and pension from the French king, he prays for a commission or some other way of living.

(1707 ?)

PETITIONS AND MEMORIALS TO THE QUEEN, 1704-1708.—*Cont.*

WILLIAM BUTLER.—Has remained upwards of seven years in the common side of Newgate for a fine of 100*l.* for a misdemeanour of words. He prays that the fine may be remitted without fees, which he can never hope to pay, or that he may be allowed some small subsistence that he may not be starved to death in the vilest of prisons.
(1707 ?)

JOHN HIGGONS, gentleman.—Setting forth his services and expenses in supporting the title of the Crown to the Wardenship of the Fleet prison, now held by Colonel Leighton. Prays for the office of *custos* of the said prison with the profits which are at present enjoyed by "intruders."
(About 1707. See also Petition Entry Book 1704-1709, *p.* 272.)

JAMES TYRRELL, the elder.—"Having for some years past bestowed great pains and expense in collecting and writing a general history of England from the best manuscripts and records; and having already published three volumes of it," he prays for the reversion of the office of keeper of her Majesty's records in the Tower, after the death of William Petyt, "who is now in a languishing condition."
Enclosed in a letter to Robert Harley, Secretary of State, thanking him for his consent to deliver the petition, and praying him to explain to the Queen that he had quite intended to dedicate the last volume of his history to her, had not Harley's absence from town prevented his procuring her permission to do so. (1704-1707.)

COLONEL ULICK BROWNE.—Sets forth certain legal proceedings taken by his father-in-law, James Fitzgerald of Awney, in the county of Limerick, to recover an estate whence he was ejected. Prays that a bill may be brought in the "Parliament of Great Britain" for the relief of himself and his wife and Fitzgerald.
(1707-1708 ?)

MEMORIAL OF PAUL JODRELL, senior.—King Charles II. granted to him the office of Clerk of the House of Commons for life in reversion after Mr. Goldebrough. He has executed the office since the beginning of the reign of King James, "as he hopes to good content and satisfaction"; and his son, Paul Jodrell, has been granted the reversion of the said office by Letters Patent from the Queen. The style of the said kingdom being now altered to Great Britain, he and his son are willing to be at the charge of renewing their patents to make the same agreeable to the present style, and pray that the same may be done accordingly.
(1707-1708.)

JOHN BOYSE, late 3rd Lieutenant of her Majesty's ship *Grafton*.—The said ship was on the 2nd of May last taken and carried into Dunkirk, where petitioner was stripped and carried to the common goal. He obtained a pass to come to England on parole to return in three months, which has been extended by a month more. Since his arrival he has done some useful service to the Government, and it being now offered to exchange him for any one of the Ecclesiastics here, he prays that such an exchange may be directed.

Endorsed by Harley—"Received January 2, 1707[-8]. Read January 3."

JOHN HALLUNGIUS.—On behalf of the thirteen Dutch regiments and several officers whose pay is still in arrears for their services to the Crown of England during the late war. Last year the accounts of Jacob Van Der Esch, late paymaster to the Dutch forces, were examined, and it was found that all the money he received was paid to the said Dutch troops, and to the forces from Denmark and Saxe-Gotha. The regimental accounts of the Dutch troops were also examined and found to be in arrears. Prays that in pursuance of the pressing instance of the States General this just debt may be brought to the consideration of Parliament.

Endorsed by Harley—"Read January 3, 1707-8. Send it to both the Auditors of the Imprest for a report."

ELLINOR BAGOTT, wife of John Bagott, esquire, and formerly the wife of Patrick Lavallin, esquire.—On her marriage with her deceased husband, in 1685, it appeared to the full satisfaction of her friends and counsel that he was seised in fee of an estate worth about 1,000*l.* per annum in Ireland, as descending from James, his father, and in consideration of 2,000*l.* portion, and of his marriage with her, he settled a jointure on her with provision for her issue. In 1686 he died in London. Then his second brother, Peter, by contrivance with Melchior, his other brother, entered into Patrick's estate and set up some fraudulent entails, but at last, by their deed duly executed on January 24, 1687, granted her a small rent charge for life, which she and her present husband accepted. Yet now Melchior, who survived Peter, refuses to pay this rent charge to them, as being outlaws and unable to recover it. Moreover her present husband's estate was vested in and sold by the trustees for forfeited estates in Ireland; but as the said rent charge was not disposed of by the trustees for the benefit of the public, and she does not presume to pray for relief out of her husband's estate or any other forfeiture, she obtained the Royal consent for a bill in Parliament to relieve her at the last session, but had no advantage thereby, the session being near an end, and she cannot petition the present House of

Commons without Royal approbation. She prays that her outlawry may be reversed, and that her nominees may be enabled to sue for the rent charge at law or equity.

Endorsed by Harley—" January 4, 1707-8. Queen consents."

JOHN READ.—Born of honest parents in Middlesex and well educated, but drawn in by one Wetherley to be concerned in stealing a gelding, for which he was sentenced to die. This is the first criminal offence for which he has been convicted, and he has made very useful discoveries of housebreaking and other offenders, and may make much more if his life be spared. Prays for a pardon.

Endorsed by Harley—" Brought into the Council by Cox, January 18, 1707-8."

INHABITANTS OF THE PARISH OF ST. JOHN'S, WAPPING.—Anne Gardner [*spelt also* Gardiner *and* Gardener], aged about 20, now under sentence of death for making away with her female child, lived in their neighbourhood for some years and bore a good character. They have good grounds for believing that the child was still-born, but since she had not discovered her condition to any, she is, in strictness of the law now provided, sentenced to death. They pray for a pardon.

Signed by the lecturer, curate, churchwardens, constable, overseers and fourteen inhabitants of the parish; also by ten of the jury.

Endorsed by Harley—" Read January 24, 1707-8."

A similar petition from the mayor, magistrates and other inhabitants of Guildford is signed by Jonathan Smallpiece, mayor, Richard Onslow, Denzil Onslow and forty-two others.

Endorsed by Harley—" Read at Kensington, January 25, 1707-8."

Enclosed is a petition from the mayor, etc., of Guildford to Sir Richard Onslow, bart., praying that he will endeavour to save Gardner's life, she being a native of the town. Dated January 17, 1707, and signed by twenty-one persons.

Also letter from Henry Newbery to Onslow, January 16, 1707, Guildford, stating that Gardner had been his servant and bore a good character, and praying him to use his influence on her behalf.

Also letter from Thomas Howard, surgeon, to Onslow, January 18, 1707-8, Guildford, stating that six years before Gardner had had one of her thigh bones forced downwards out of place by the fall of a load of timber, which deformity would probably cause the child to be still-born.

ROBERT CRUIKSHANK.—Stands bound in recognizance to appear at the bar of the court of Queen's Bench on the last day of the present term, and is advised that he must be continued

over till the next term, on April 21. His ship with her cargo being still at Plymouth he may still arrive there in time to proceed on his intended voyage to Guinea and Maryland, whose loss would be the ruin of himself and the ship's proprietors. Prays, therefore, that his recognizance may be discharged.
Endorsed by Lewis—" February 8, 1707-8."

JOHN BABER, gentleman.—On the death of George Harris, gentleman, who was secretary at Jamaica by patent during life, the late King in 1697 granted the said office to petitioner during pleasure. The said patents being due to determine in September next, he prays for a renewal on the same terms as Mr. Harris.
(1704-1708 ?)

MARY BALLFOURE, relict of Lieutenant Ballfoure.—Was allowed a pension by the late King on her husband's death in the service. This is now six years in arrear, and her journey from Scotland has reduced her to great poverty. Prays for relief.
(1704-1708 ?)

THOMAS BATEMAN.—Obtained a lease of his lodgings in Scotland Yard from the Queen at her accession, and has since made additions and repairs, especially after the " high wind in 1703." Prays for a confirmation of the lease with a proviso that he shall quit the lodgings when wanted for building a palace at Whitehall.
(1704-1708 ?)

WILLIAM BOWEN.—Has been an actor for thirty years past in England and Ireland, and obtained a bountiful competence from the Queen for his wounds received in the first year of her reign while justly resenting some insolent and disrespectful words spoken by one Mr. Forde against her Majesty's royal title. Prays that the patent of the play-house in Ireland may be granted to him and his son William in reversion on the death of Mr. Joseph Ashbury, to whom it was granted for himself and his son in 1683 in reversion after Mr. Morgan, the said Ashbury, though still an actor in the play-house in Ireland, " being very ancient " and his son being dead.
(1704-1708 ?)

RICHARD BUSHELL.—Has received sentence of death for a felony. It did not appear at his trial that any out-lock or door was broken, which ought to have been proved to make his crime capital. Has little else to plead for himself but his youth and his willingness to serve by sea or land, and that it is his first suit for mercy. Prays for a conditional pardon.
(1704-1708 ?)

THE ENGLISH CARTHUSIAN MONKS AT NIEUPORT IN FLANDERS.—For liberty to their fishermen from Nieuport and Blankenburg to exercise their trade of fishing upon the coasts of England in time of war without any molestation, as they had from her Majesty's progenitors, and have had and now have from the States General of Holland upon their coasts, the monks' subsistence depending chiefly on the fishing.

Annexed is a copy of a grant by Charles II. of this liberty to the same fishermen during war time.

(1704-1708 ?)

SIR SYMON CLARKE, of Warwickshire, baronet.—Is descended from one of the first baronets created by King James I. and served under the Earl of Scarsdale as a cornet in James II.'s reign. Having met with misfortunes he prays for employment or a pension. A petition was presented to the Duke of Marlborough by twenty-nine of the chief inhabitants of Worcestershire and Warwickshire praying for a troop or company for him, but no regard was paid to it.

(1704-1708 ?)

JOHN COLE, glazier, of Kingston-on-Thames.—Was employed by Lord Portland under the late Comptroller, Mr. Talman, to glaze and repair the green-houses, melon frames, and other out-works at Hampton Court for King William, on whose death between two and three hundred pounds were owing to him. Has since lost his work and cannot recover his arrears. Prays for relief.

(1704-1708 ?)

CREDITORS AND ADMINISTRATORS OF SIR WILLIAM COURTEEN AND PARTNERS.—The East India Company of the Netherlands in 1644 unjustly seized upon two English ships belonging to Sir William Courteen and partners on their voyage to the East Indies, for which petitioners, not obtaining satisfaction, obtained in 1665 Letters of Reprisal against the Company and other subjects of the States General. King William in 1699 ordered his minister at the Hague to demand satisfaction from the States, and to signify that "they might have better terms in his time than afterwards they could expect," which occasioned offers of satisfaction which by reason of the King's death took no effect. The Company still delaying justice, petitioners conceive themselves warranted to put the Letters of Reprisal into execution. Praying for Royal approbation or relief.

(1704-1708 ?)

RICHARD CROW and MARK CROW, clothworkers, and ANDREW FRYZER, tanner, of Hereford.—Were sentenced at the last assizes to a fine of twenty nobles each for an assault, though not one

blow could be proved to have been struck. They cannot pay the fine, "trading here being very dead," and pray that it may be remitted. *Signed.*
(1704-8 ?)

THOMAS DICKASON.—Lies under sentence of condemnation in Newgate for feloniously stealing some goods of small value, which, in truth, he bought of persons that were utter strangers, but was not able to prove it. Being an "ancient man of near fourscore years," and having an old and helpless wife he prays that his life may be spared.
(1704-8 ?)

JUDITH DRAKE, widow.—Was formerly sempstress and starcher to the late King in conjunction with Mrs. College until the latter "by a personal interest she made herself in some great man procured those offices wholly to herself," so that petitioner was discarded without any salary or payment for her disbursements in linen and lace. She afterwards married Doctor James Drake, "but he, unfortunately falling under the displeasure and violent prosecution of some great persons, died broken-hearted," leaving her and their son in great difficulties. Prays for compassion.
(1704-1708 ?)

LADY ELIZABETH HATCHER.—Returned from France in 1702 by Royal licence, but after a stay of six months was obliged to quit the kingdom by her Majesty's commands. The executors of the wills of Sir Joseph Williamson and Lady Catherine O'Brien, her late brother and sister, refused to pay her certain annuities bequeathed to her by her said brother and sister while she remained in France, so she removed into Holland, where the air has not agreed with her continued indisposition—"the ptisick." Prays for a licence to return into England or to live in France.
(1704-1708 ?)

HORATIO HOPKINS, esquire, grandson and heir of Sir William Hopkins, formerly of the Isle of Wight.—His grandfather and father were the first persons that declared for King Charles I. in that country, and their house was one of the first plundered. When the said King "was hurried into the Isle of Wight and in restraint there, they found a way of corresponding with him by letter," and were entrusted in his most important affairs till "his (ever to be deplored) dying day." At the treaty of Newport their house was chosen for his court, and to supply his needs they sold their estate to the value of 1200*l.* per annum, "as may be evidenced by sixty odd letters of his said Majesty's own handwriting" now in petitioner's keeping. His father was

promised an estate of land and grant of money in Ireland by King Charles II., but failed to obtain it, and died after several petitions to the said King, leaving petitioner with five brothers and one sister unprovided for. Prays for a civil office or employment.
(1704-1708 ?)

SCROPE, VISCOUNT HOW, baron of "Clanaly," [Clenawly] in Ireland.—Raised a regiment of horse in the Protestant interest at the late Revolution, with the charges of which he is still encumbered. Prays for letters patent for the coining of 1,200 tons of copper halfpence and farthings for the use of Great Britain and Ireland and the plantations for a term of twelve years.
(1704-1708 ?)

ROBERT JENISON, late of Wallworth in the county of Durham, esquire.—Sets forth his former diligent services for "the further discovery of the horrid and damnable Popish plot . . . to alter the government of England, to poison the King, and to bring in their religion by bloodshed," which services he performed at great expense to himself for above three years. But "having no reparation made in the late reign, by reason of arrears due to the fleet and army, nor in this, by reason of an unmerited opposition made against his petition, he has been a prisoner in the gatehouse nearly three months for a debt of 12*l.*" Being now "at liberty without bread," and designing to go with Captain Laycock to the army in Flanders "to be at some of the sieges in order to obtain commissions, if we escape with our lives," he prays for a supply of money.
(1704-1708.)

JAMES JONES.—Lies under sentence of death in the gaol of Kingston-upon-Thames, aged about fifteen years, for unlawfully taking away a coat, waistcoat and breeches from Richard Boarman, it being his first offence. His father and mother were burnt out of Ireland; the former was slain in Flanders in King William's service, and the latter is attended with blindness and poverty, and supported by petitioner's labour; and her grief for his crime and unhappy circumstances will reduce her grey hairs with sorrow to the grave. Prays, therefore, that his green years may plead for a pardon for his enormous crime, and that he may be sent to a plantation.
(1704-1708 ?)

HENRY LAMBANETT and SARAH, his wife.—Has served several years in the army in this war and the last, and took part in the capture and defence of Gibraltar. On his return thence he sent for his wife from Ireland, and in her passage she was taken and

stripped of all she had by the two French privateers that took prisoner several officers of the Queen's French regiment of dragoons. Being descended of a very good family, yet not having been provided for in any post, he prays for a commission.
(1704-1708 ?)

CAPTAIN MARTIN LAYCOCK, of Lord Charlemont's late regiment of foot.—Has served the Crown ever since 1685 with many losses and sufferings, and many younger officers have been preferred above him. Was recommended to the Duke of Marlborough by the Duke of Shrewsbury, and also by twenty-four members of the House of Commons, and was put into the list for a company in the five new regiments; and the night before Marlborough went for Holland he promised to petitioner that he should be posted at home or abroad; and as he took coach before Whitehall said "well, well, Laycock, I will post you"—being concerned that petitioner should be out of business. Petitioner, being resolved to spend the rest of his blood in her Majesty's service, has by his long attendance and good interest got a pass under the hand and seal of Mr. Harley, Secretary of State, to go to his Highness in Flanders; but having nothing to bear his charges but what is due from the Crown for his past services, he prays for a grant out of the privy purse for this purpose until he is "provided in a post."
(1704-1708.)

HAGIE MAHOMET, of Aleppo, in "Argiers."—Has already presented three petitions setting forth the wrong done him by certain English merchants in Algiers, who being protected by the Turkey Company, and he receiving no answer to his petitions, he was necessitated to apply to the Turkey Company for some small matter to carry him home. They gave him but 10*l.* and a pass from the Queen's Secretary to go to Portsmouth to be transported on the *Poole*. On going to Portsmouth he found the said ship had sailed away some time before the date of the pass, so petitioner came to London to pray for a maintenance till the next fleet sailed to Algiers. He has waited twenty-five months for relief against those merchants and has spent all his money. He prays, therefore, for a maintenance till he can be sent away.
(1704-1708 ?)

MICHAEL MALARD.—Once a secular priest and curate of Belleville, in Beaujolais, he embraced the Protestant religion in London nine years ago according to the English Episcopal church, wears the long gown, is a naturalized Englishman, and is a prisoner in the "Marshall Southwork" for a debt of 14*l.* contracted by his wife before she married him, against whom he obtained a warrant from Hickshall and then from the Lord Chief Justice to take her

up, as having her first husband alive. But she is run away and escaped, and all his goods have been sold to pay the landlord and other debts. Prays therefore for a release.

Many witnesses have given their oath how this Yorkshire woman that he had the misfortune to marry said she was the widow of "Jougla," dead and buried in the country, who is still alive and has children by her, but had retired from her because she ran him into debts; two years after, he divorced her because she got a bastard.

He can hope for no relief from the vestry of the French church of the great Savoy because he had not embraced Protestantism in Switzerland and refused to embrace it in the French Presbyterian London church behind the Exchange, but did so in the French church of the Great Savoy according to the English Episcopal church, as being the most pure and like to the primitive church, not knowing they were all "presbyterian and wigs within," directly against the Queen, the monarchial government and the Church of England. "If her Majesty should depend on them they would pull her into bits; they are only for republics and won't depend on the bishops, but they will be themselves bishops under the name of ministers, for the elders obey them blindly in any injustice advantageous to 'em," as he knows by experience. They have destroyed as many "ecclesiastic proselytes" as they could because they were obliged to allow them a yearly pension out of the Royal beneficency, making them turn to Popery, either by necessity or slanders.

Lamothe Blagny, an elder of the said church, by an "unheard barbarousness" bribed his bail to put him into prison under a pretence of security. They have cast him into this bad marriage, for Lamothe commanded "Mr. Bron," minister, to marry him to her; and mistress Durand, though knowing her to be the wife of "Jougla" and he alive, spake all good things of her. They stole his testimonials, certificates of priesthood and pastorship, family papers and registers, and the attestations of the town of Zurich. Very few proselytes have been able to maintain themselves against the said vestry and their "French Committie." If released he must beg his bread from door to door, having no church or place to be a reader, for they cut off his living by putting him in prison. They should have only French chapels and be obliged to receive the Sacraments in the English church of their parish; thus her Majesty would know who are for her or against her. He prays for a pension, considering himself more worthy than the French ministers, who have relations and churches that provide for them in this country.
(1704-1708 ?)

EDWARD MOORE and ALEXANDER VALIER.—For a grant or lease of certain derelict or "fitee" lands, adjoining the sea in or near Habernes and Tydd St. Mary's and several other parishes in

Lincolnshire, which, for want of embanking and improving are of no advantage to the Crown and useless to the country.
(? 1704-1708).

THOMAS NEVILLE, gentleman.—Having been some time in the French King's dominions he prays for a Royal licence to return to England, offering security for his good behaviour.
(1704-1708 ?)

MARY NUTIN.—Daughter of Walter Brydall and wife of John Nutin, late receiver and paymaster to the transports. He, owing above 2,100*l.* to the Crown, left in the hands of Robert Barker, esquire, deputy remembrancer, 1,995*l.*, which, with the fees she has to pay to pass the accounts, will amount to upwards of the balance. Nevertheless her husband is arrested and she turned out of her house and her effects seized. Prays for her husband's freedom.
(1704-1708 ?)

MATTHEW PLOWMAN, gentleman, senior.—About five weeks ago one Mr. Collingwood intimated to him that several young gentlemen had occasion to go to Holland, but could not proceed without a pass from the Secretary of State's office, and by giving false names and fraudulent representations of their loyalty induced petitioner (who believed the affirmations to be true) to use his influence, whereby a pass was obtained. These persons have been seized lately at Dover, and Collingwood is in confinement, and petitioner is bound to appear "to answer the same." He therefore prays that he may not incur the Queen's displeasure, as he depends on her bounty for support in his old age.
(1708 ?)

BARON POSTHELD, of Ollersfeld.—Being a native of Bohemia and a Protestant, and as such unable to enjoy his estate there, fled to Denmark and took shipping for England aboard the *Sorlings* (Captain Cony, commander), with letters of recommendation from the Danish King to Prince George. But the ship was taken by the French squadron under Monsieur St. Paul. Afterwards he was sent to Holland with a French pass and the French King's allowance for a prisoner (which was six livres only), whence he came to England and delivered his letter to Prince George, who relieved his necessities and recommended him to the King of Prussia; "where, meeting with the like ill fate," he returned to England in hopes to be employed in the forces ordered on the descent, but they being gone he prays to be employed in some of the regiments which are designed to follow the said descent.
(1704-1708 ? Perhaps by "the descent" is meant the despatch of troops with (and following) Lord Galway, in the summer of 1704. *See* Harley Papers II., 100.)

EDWARD RICH, esquire.—" Has the honour of being grandson to the truly loyal and therefore the more right honourable the Earl of Holland, who was beheaded for the fidelity he bore to your Royal grandfather and his blessed Prince King Charles I. He is next heir to the present Earl of Warwick, but destitute of the comforts of life." Prays to be provided for in the army or otherwise.
(1704-1708 ?)

RICHARD RICHARDSON, sergeant at law.—There is now a great scarcity of farthings and halfpence in Great Britain and Ireland, and a total want of them in the Plantations. Prays for a grant of Letters Patent to coin 800 tons of the best English copper, to be uttered at the rate of two shillings the pound weight, the duty of threepence halfpenny for the coinage being therein included, and to be stamped with the Queen's image and made current by Royal authority.
(1705-1714.)

WILLIAM RIDER, Lieutenant of her Majesty's forest of Whittlewood.—Served Kings Charles II. and James II. in several considerable employments, but on the Revolution was deprived of the command of a troop of horse in the then Earl of Oxford's regiment, the Avener's place under the Master of Horse, and his patent place of Master of the Fleet-hounds, which cost him 2,500 guineas without any satisfaction though he obtained the late King's promise to be repaid for that employment. Nearly 10,000*l.* is due from the Crown for money lent to King Charles II. during his exile by petitioner's father. He prays for consideration of his case before he is deprived of the honour of her Majesty's Lieutenant of Whittlewood forest.
(1704-1708 ?)

THOMAS ROOTS, gentleman, of the county of Kent.—Prays that his enclosed scheme of a bank may be strictly examined by one of her Majesty's Prime Ministers of State, and if approved may be recommended to either House of Parliament. It will in no way injure the Bank of England, and will provide employment for large classes of persons, and will render the national debt tolerable till it may be fully cleared. If not approved of he begs leave to present the scheme to the French King.
(1704-1708 ?)

SIR WILLIAM RUSSELL, baronet.—His father, Sir William Russell,* having served in Ireland and Flanders, contracted an illness, for which the Queen granted him a pension of 400*l.* per annum on the revenue of Ireland, and on his death she granted to his mother 200*l.* per annum on the said revenue. His mother's

* Son of Sir John Russell and Frances Cromwell; ob. 1707.

life is now despaired of, and seeing that the Queen has encouraged the Countess of Fauconberg to hope that employment may be bestowed on petitioner, he prays that the said pension may be continued to him for the support of himself and his brother [Francis].
(1708 ?)

SERGEANTS, CORPORALS AND DRUMS OF THE DECEASED COL. BREWAR'S REGIMENT.—Have money due to them to the value of 30*l.* for their pay during the wars in Ireland and Flanders, which they know to have been paid to the colonel many years ago. Deceased has left a plentiful estate in the hands of Mr. Ginkens, who puts them to defiance, as they cannot go to law with him. Pray for payment of what is due.
(After 1702.—See Army Lists and Commission Registers, vol. III., p. 53.)

JOHN SHAW, saddler and freeman of the City of London.—Desiring to travel, he went to France about ten years ago. His father is now dead and has left him heir to considerable effects. Prays for leave to return to England.
(1704-1708 ?)

FERDINAND SHRIMPTON, of Denn, in the county of Bucks, lawman.—His son, John, notwithstanding a careful education and the good trade in which he was settled, has of late years robbed upon the highway, but has never been guilty of murder or violence. He is now touched with remorse, and resolves, though yet at liberty, never to be guilty of it again, provided he could obtain a pardon for his past robberies. Petitioner has also nine sons and two daughters all in a prosperous way of living, and can supply the said John with a suitable subsistence. Prays for a pardon.
(1704-1708 ?)

CHARLWOOD STUCKEY, gentleman.—His father, Valentine, was linen-draper to King Charles II., who, at his death, owed him a considerable sum of money. Has suffered from fire and debt. Prays for employment.
(1704-1708 ?)

JOHN SWAN, gentleman.—Entered into a contract to serve Sir Basil Firebrace for two years, and was continued in that service for a term of six years; but Sir Basil's business growing too weighty he prayed for a discharge, but was compelled by force, on the pretence that he had been bought as a slave, to serve for eighteen years. Some of his service being for the Crown, King James granted him the fifth part of the customs paid in one year by Sir Basil and Samuel Shepherd, esquire, who was joined with him, for which petitioner gave in a receipt dated 1687,

September 10, to Henry Guy, esquire. But Sir Basil and Shepherd took the receipt from the said Guy, and so deprived petitioner of the grant. Prays for a Royal command to Guy to produce the receipt and to Sir Basil and Shepherd to return him the bounty money with interest.
(1704-1708 ?)

THOMAS VAVASOUR.—Having made information whereby great estates were forfeited to the Crown, Sir Thomas Cooke, Sir Charles Duncombe and Sir Edward Ward, Lord Chief Baron, proposed to give him 10,000*l.* or 20,000*l.* as informant. Nevertheless he is kept out of it. Prays therefore to be paid 1,000*l.* and to be granted employment.

Enclosed memorial shews that he served in the Duke of Monmouth's regiment till it was disbanded in 1679 by Sir Thomas Player and other commissioners, who deducted 5 guineas out of the soldiers' pay contrary to an Act of Parliament (31 Car. II). On petitioning the King this complaint was referred to Sir Robert Sawyer, who ordered the Treasury to prosecute. But the disbanding commissioners refused to account to any but the House of Commons. So appellant petitioned the House, and when a committee had inspected the accounts, Mr. Auditor Done and Mr. Bridges made a report, wherein it appeared that they wanted vouchers for 4,000*l.* out of the 10,000*l.* imprested to Sir Thos. Player, and above 100,000*l.* more was not accounted for. So by the said Act the commissioners forfeited their estates to the King. The Treasury issued out writs and got 6,000 of the money into their custody. Appellant has solicited this suit twenty-two years at great expense and has suffered imprisonment and been aspersed with charges of treason and madness.

NOTE.—It is usual with the officers of the Exchequer and the Treasury to deprive informants of their moiety, whereby they discourage the discovery of frauds.
(1701-1708.)

ROBERT WORDLEY and ELLINOR, his sister.—Are the "orfants" of Captain John Wordley, late commander of her Majesty's ship the old *Revenge*, who faithfully served the Crown in three King's reigns, and having been visited with sickness departed this life in the late King's service. Further, to add to petitioners' calamity, it pleased God to visit the poor petitioner, Robert, with a violent fever, of which he lost his eyesight, as also his sister, Ellinor lost her eyesight by a blast of lightning as she sat at work at marking in linen at her door. They pray for bounty and charity.
(1704-1708 ?)

PETITIONS AND MEMORIALS TO ROBERT HARLEY, SECRETARY OF STATE, 1704-1708.

ELIZABETH RICE.—For a pardon for her husband, Sebastian Rice, lying under sentence of death for burglary, he being ready to serve her Majesty by sea or land.

Endorsed by Harley—" Received June 9, 1704. Respited till Thursday at the Council at Hampton Court."

EDWARD BEMAND.—Was a servant for many years in the families of Harley and his father. Prays that his brother Thomas may be recommended for employment as noontender at the Custom House in the port of London, as there is likely to be a vacancy by the death of Peregrine Duport, now dangerously ill.

Accompanied by a letter from the same dated 1704, June 20.

STEPHEN THOMSON, of London, merchant.—About April, 1700, he sent Mr. Charles Craven, brother to Lord Craven, to reside as his factor at Bordeaux. When war had been declared he ordered his said apprentice to buy an English ship and man her with English prisoners and return with his effects. This was done, and on the arrival of the ship (called the *Friendship*) at Kinsale petitioner set forth the premises to the Lord Treasurer, who referred the matter to the Commissioners of Customs, and transmitted their report to the Prince's Council. Since the arrival of the ship in the Thames she has been twice seized, notwithstanding that petitioner was allowed to make an entry of the wines of her cargo, and has paid 4,500*l.* for duty. Since which she has been seized by Captain Edwards, acting under Harley's instructions. Seeing that he had no other way to get his apprentice and effects out of an enemy's country, he prays that this seizure may be taken off.

Endorsed by Harley—" Received 1704, June 27."

NATHANIEL FOSTER.—Has been for above seventeen years a shopkeeper in London. His wife having been seduced to Popery by a Romish priest, unknown to him, has for several years kept him company and robbed petitioner of all his substance, for which he has a testimonial from his parish minister and his neighbours. Prays that the apprehension may be encouraged of the said priest, who now in different dresses skulks about town, and is (he supposes) conversant with his wife; also that he may be granted a warrant and a small subsistence till he can bring the priest to justice.

Endorsed by Harley—" Mr. Foster's petition concerning Bodycott, a priest. Received July 30, 1704."

PETITIONS AND MEMORIALS TO ROBERT HARLEY, SECRETARY OF STATE, 1704-1708.—*Cont.*

ISAAC JACOBSON, Agent for the respective Hanse towns by order of the Senate of the city of Dantzig.—With regard to the seizure of the ship *Neptune*, owned and freighted by merchants of the said city, by a British ship, in consequence of which a suit is depending before the Lords of Appeal. Conceiving that certain attestations made before the Admiralty Court will not be sufficient to procure them a restitution, he prays that Harley will represent their case favourably to the Lords of Appeal, and that if the attestations are not admitted as proofs the proprietors may be admitted to give bail to answer the value of the goods (in case they shall not make out their right) and then have the goods delivered to them. *Signed. Dated* 1704, October 20.

Enclosed is the case of the Dantzig merchants, giving particulars, and showing that " by reason that the city of Dantzig or burghers thereof were not nor are favoured by the French King," their correspondents took bills of lading in the names of merchants of Stockholm, as though to be delivered there, though in reality they were to be delivered at Dantzig.

PAUL BRETTON.—By virtue of Harley's warrant he has been a prisoner in the messenger's hands and in the Marshalsea in the Savoy above three months. Has never intended any evil design against the Queen and Government, " being a Protestant in his principle and a merchant by his profession." Prays to be delivered.

Endorsed by Harley—" Read October 26, 1704. See order upon it."

His case contains further details. *Endorsed*—November 23, 1704.

MANAGERS of the TOBACCO COMPANY TRADING TO RUSSIA.—By a memorial, dated November 24 last, Mr. Francis Stratford, since deceased, on behalf of himself and the other managers of the company, stated the case of the *Two Brothers*, which was sent by the said managers " to New Shantz, alias St. Petersburg, in the Baltic sea, now in the possession of the Czar of Muscovy," having with her papers pursuant to the treaty with Sweden. On her return she was captured by a Swedish man-of-war, and the papers were taken from the master under pretence of being examined, and sent, as he supposes, to Stockholm. Prays that the envoy in Sweden may procure the ship's discharge and damages. Signed by Nathaniel Gould, Samuel Heathcote, and William Dawsonne.

Endorsed by Harley—" Received December 29, 1704. Writ to Mr. Jackson."

Enclosed is Stratford's case above mentioned.

JOHN BATESON.—" Did formerly belong " to Harley's father and was servant to Major Hinton. Has since kept a shop for

several years, but by " trusting " and want of trade is reduced to a very deplorable condition. Prays for relief.
(1704.)

JOHN HUGHES, JOHN HOLINSHED, ISAAC ADAMS and JOHN MAYOTT.—Setting forth their services and praying for an increase in their allowances. (See also p. 327).
(1704-1705.)

SOPHIA BALLARD.—Has been detained in Newgate for several days upon Harley's account, but for what she knows not. Is informed that he believes her capable of making some discovery of something which she is altogether ignorant of. Has four small children, " two of which is turned into the streets," and the other two are with her. Prays for mercy.
Endorsed by Harley—" Received March 15, 1704-5."

ELIZABETH CHAPMAN.—Is in the custody of a messenger upon a malicious information made against her by some persons who owe her a little money. It is evident to all her neighbours in " the pellmell " and to others in this city that she is very poor and makes her living by selling Irish linen and " usquebagh," which her husband sends from Ireland, and that she never had the capacity to act against the Government. Prays to be discharged.
Endorsed by Harley—" Received April 10, 1705."

Memorial of JOHN BUTTS, her Majesty's consul in Denmark.—He formerly set forth his services in a petition to her Majesty, and received a commission as consul for Denmark. Having exhausted his substance in the service, he was in no capacity to act, and has attended for two years in hopes of being paid his arrears, though his services would have been more useful had he been able to go to his post. Observes that the restraining our trade with France can have little effect unless we prevent the Danes and Swedes from carrying our commodities to that country, and from furnishing the French with all sorts of contraband goods. Such trade can only be stopped by having an English officer resident at Elsinore, to warn Harley, in order to their being intercepted by our men-of-war, who would thus make them legal prizes.
Endorsed by Harley—" April 20, 1705. He had an answer that the Queen would not make a precedent to allow him anything as a consul; but if he did anything of service there he should be rewarded accordingly. This answer was given him in May last, 1704. See the minutes."

PETITIONS AND MEMORIALS TO ROBERT HARLEY, SECRETARY OF STATE, 1704-1708.—*Cont.*

WILLIAM HOUSTON'S Memorial, *entitled*, " A succinct deduction of the series of affairs relating to Church and State of Scotland from the year 1679 to and with this present state."—" The year preceding, under the ministry of the Duke of Lauderdale, the land groaning under grievances, our Church was reduced to a chaos of defection, division, confusion, which obliged Mr. Welsh and several other ministers to preach in the fields, people being so numerous that churches could not contain them, and they obliged to innocent self-defence. Lauderdale ordered 20,000 highlanders to march in a barbarous manner to plunder and destroy all our hearers or abettors and bring to Edinburgh the heads of the ministers, dead or alive. Which extorted that sudden insurrection of Bothwell Bridge. The people and ministry parling for peace, at Monmouth's coming down, were in a manner cheated or defeated. Hence bloody proclamations of 500*l.* for apprehending ministry and gentry therein concerned, which obliged them to take flight into the fields. Then Scotch and Irish dragoons, with some French officers among their army, were peremptorily commanded to kill ministry, gentry and people wherever they found them. Accordingly they performed by killing 1,851 men and nine women by swords and gibbets, the Romish frogs being very industrious to set them on edge.

" In the year 1681 a Parliament is held at Edinburgh, which commenced with the martyrdom of three divines and divers of the people; so terminate by setting open a door to Romans all over the kingdom, who grew insolent, both laity and clergy, which obliged those people, by-named Cameronians, but Protestants in name and thing, to declare at Sanquhar against their idolatrous proceedings withal to discipline their fraternity for their innocent self-defence to be in readiness against the common enemy, which afterwards we found full of violence and virulence. Having defended themselves strenuously they turned formidable to the common enemy. Within a few years fell out the catastrophe of King Charles' death.

" Then in the next reign was issued out a Popish toleration for Papists and Dissenters too . . . against which they protested, as shaving of Samson's hair, and taking away the penal laws; for they could not believe that Rome was reformed nor the Pope turned Presbyterian, though too many of the Presbyterians . . . 'homologat' the same with letters of thanks, impignorating their faith and fidelity therein. At which juncture the bishops of England were incarcerate in the Tower.

" Scotland, by this inundation of popery and idolatry, appeared everywhere to be a land of graven images; hundreds falling away and going to mass like leaves in autumn.

" The protestation of our fraternity being printed in Holland with a book entitled " *Nephthali*" and divers others, as they did illuminate in Scotland and Ireland and borders of England, so with violence and virulence were preachers and people

prosecuted. Proclamations issued out 500*l.* for the head of Mr James Renny, minister, who fell into their hands and was executed." Also for Mr. David Houston, Mr. Mather, Mr. W. Houston and divers others who escaped their hands.

"Mr. David Houston, minister, aged 75, preaching in Ireland was taken and carried to Tyrconnell, then Lord Lieutenant of Ireland, who, after he had used him in a most truculent manner in Ireland, thence remitted him towards Edinburgh . . . to be beheaded by Chancellor Drummond, a violent new-turned Papist, guarded by Irish horse and foot seconded by a party of Claver's troop, *alias* Lord Dundee. With which troops our fraternity engaged, broke them, rescued the prisoner by force of arms.

"This was done about three months before King William's arrival in England, of which we having intelligence by some of our number from Holland we were obliged to keep the fields in our own defence, fearing Papists and Highlanders. We disciplined in a military posture and immediately drew out 2,500 men at Douglas, electing Colonel Clieland, marched against Dundee and the Highlanders, where engaging at Dunkell with above 7,000 of them, yet we defended the churchyard with the loss of few men, broke them, beat them,* [and] marching through the Highlands reduced them to peace and made them subject to the government. Only once again they rallied, some time after, by their anti-christian succours. Our fraternity engaged with them, joining some English troops who were lately come from England; and after a sharp dispute the Highland forces were entirely routed.

"The late King William called our fraternity into Flanders, where, engaging with the French, the colonel, lieutenant-colonel, major, and five captains were all killed at once by the treachery of Barbaria's secretary, which regiment is commanded by Colonel Fergusson and recruited by us."

The Cameronians, "being *pares* in the government," and the greatest sufferers for the Protestant interest, and seeing that the power of church government is equally lodged in our fraternity as in the Presbyterians; being moreover useful and faithful to her Majesty, ought to have free church judicatories of their own, "making truly an organical church, conform to the rules of our ancient assemblies at Westminster, seeing we cannot digest the insufficiency of our clergy, nay, many of them illiterate mechanics and scandalous. The doing whereof will be acceptable to Heaven and profitable to the Queen, who, alas, wants information in order to confer her civil sanction righteously in the hands of our fraternity and people . . . Though, indeed, her Majesty from her princely piety gives her Royal letter for 50*l.* annually from the bishopric of Galway, which is booked in the Scotch Secretary's office, yet never paid, nor never will till her Majesty nominate us collectors for the same." Proposes a gift of 50*l.* a year to each of the four ministers.

*The Cameronian regiment defeated the Highlanders at Dunkeld, Aug. 21, 1689.

"But to return to a description of the present state of the nation. It is palpable those Gillicrankies, or French friends, grow insolent, were it not our fraternity threatens them to peace.

"The five western shires, Ayr, Renfrew, Galloway, Nithsdale, Clydesdale and Stewartry of Galloway (where there be some Papists—the Earl of Nithsdale and others—yet their swords, arms, and idols are always taken from them by our fraternity upon all occasions of foreign French fears); notwithstanding the people are all generally strict dissenters from popery, prelacy, erastian indulgency; exceeding well armed and disciplined, zealous against the French or anything that smells of popery, being completely furnished by King William, when Prince of Orange, from Holland; those few gentry in those western shires who are Gillicrankies or Jacobites being insignificant, so that those people by-named the Cameronians command them and their arms too at every touch; nay they durst not budge, the universality of those western shires, gracious and graceless, being inclined to follow our fraternity, the gentry, and particularly those in the Kirk or church, under the name of Presbyterians, being in a manner put in and put out by our fraternity (as were the former incumbents). In fine the common enemy cannot project any hopes there.

"The shires of Annandale, Ewesdale, Nithsdale, Liddesdale, Teviotdale . . . the shires adjacent to England, the borders themselves, being by the indefatigable labours of our fraternity informed in their minds and reformed in their lives, are truly zealous for the Protestant interest in the strictest sense, and animate by the Almighty to concur with us against the common enemy, foreign as the French, or domestic as the straggling gentry, insignificant to act or do, we making ten to one against them.

"Thus of the southern part of Scotland; . . . which being influenced by our fraternity, moved her Majesty Queen Mary of blessed memory to give a complement of 40*l.* annually, renewed by her present Majesty . . . which in this reign was once only paid.

"There remains two or three shires of these southern parts contiguous to the Highlanders—Lennox, Stirling, Clackmannanshire. First, as to Lennoxshire, the most part of the gentry, being nullifidians, take up with any impression. The commonalty, being zealous Protestants, are obliged, especially in the winter season, to defend themselves against the ravaging of the Highlanders, committing hardships, that's robbing all their cattle. Though they are not able to reduce the Highlanders, yet do they oppose any small body or party, our fraternity having planted christian societies whereby christianity flourishes into the very borders of those savages. The other two shires are generally [the same], though their gentry do as they list.

PETITIONS AND MEMORIALS TO ROBERT HARLEY, SECRETARY OF STATE, 1704-1708.—*Cont.*

"Hence enters the Highlands and Islands, of whom it may be said, as Eusebius of the Romans—That "*God Almighty suffered the Goths and Vandals to ransack the Romans because they were not more zealous in their conversion.*" . . .

"The West Highlands be generally civilized and tolerable, and much hated by the other for their respect to the gospel; so that in the late catastrophe of Argyle and Monmouth they were generally ruined, and many of them put to death, all by the North and East Highlands, who are either atheists or Papists. The Duke of Gordon, commonly called among them the Cock of the North, is professed Roman, [and] commands four or five hundred men; in like manner do their earls and clans. As those Highlanders have little regard to the church of Presbyterians, and profit little among them, for most of them that travel thither want that zeal, knowledge, discretion as the old Presbyterian's endowments; neither do they regard the army; for as the same is no great strength, so [it is] much in affinity with them—statesmen favouring them as being of their kidney. And when our fraternity give them a scripture reproof, then they mock God's messengers and misuse their servants, and openly say we are not clothed with authority, though, conform to claim of right the government is as much lodged in our persons as any other; for many of the loose Presbyterians flatter and wheedle with them. Thus are they animate to a sinful course and hopes of their imposter from France.

"Notwithstanding of this generality there are several corners in the North where there is true reformation of life and manners, as in Strathnaver, Sunderland (*sic*), Ross, Murray, the most of the people will join our fraternity. In fine, relating to the state, we are sorry to say it is too precarious. Good men could be named who would be faithful to her Majesty, the Protestant interest, and all good designs. Relating to the army, it is very proper at this juncture that they have honest officers—men of conduct, courage, conscience, such as Colonel James Bruce, who came over with the late King William at the Revolution, and men of his spirit. It would conduce much to the interest of Britain. Very well known to Argyle, in whom our fraternity have no interest, save upon account of the Protestant interest.

"To conclude, the Isles and shires of Orkney, Caithness, Banff, etc., are altogether Gillicrankies or Jacobites.

"The verity of these premises may be attested by two or three gentlemen of your honour's acquaintance now at London."

Endorsed by Harley—"1705, April 20."

(There is a very similar memorial addressed by the same to the Queen and Lord Treasurer, adding "Motives and means of Union." 1706 ?)

MARGARET MILLER.—Gave notice of Jane Salt, *alias* Okes, who followed the pernicious trade of coining, and was convicted

of the same. Having been assured by Harley's butler and Mr. Hill, the messenger, that she should have the usual reward, she prays for a certificate for the same.

Endorsed by Harley—" Received April 23, 1705."

MILBOURN MADOX.—Served King Charles I. and Charles II. during the wars in their reigns, and received from the latter a yearly pension of 36*l.*; but in King William's reign Lord Ranelagh kept back so much of his pension as amounts to 500*l.* Prays that he may have his quartermaster's pay (he being quartermaster of horse after Charles II.'s death) as he is lame and infirm and above eighty years of age.

Endorsed by Lewis—" June 29, 1705."

Annexed is a list of pensions paid by Mr. Nicholas, including 30*l.* per annum to Mr. Madox. *Also* a certificate of his appointment to a quartermastership in Captain Coy's troop of Colonel Richard Hamilton's regiment in 1687. *Signed by D. Crawford. Dated* 1705, June 26.

Endorsed—" Enquire whether others in the same circumstances are provided for."

MARY JOLLEY.—Was taken into custody by his honour's [Harley's] orders for coming out of France contrary to Act of Parliament. Believes that she is not the person intended, and being infirm and in danger of losing her eyesight if she remain in the messenger's hands, she prays for a speedy examination.

Endorsed by Lewis—" August 18, 1705."

PHILLIP GARIOT, of Southampton, cutler.—He and his father are French Protestant refugees, who have lived together in Southampton for twenty-five years, he working in his father's shop and having no house of his own, yet both of them obliged to pay to the church and poor and all other parish duties; notwithstanding which the tailors of the town have of late indicted and prosecuted the petitioner and his wife for that the latter, also a French Protestant refugee, hath likewise used her industry in working as a mantua maker, and he, being but a poor man and not able to withstand this vexatious prosecution, prays that her Majesty will recommend him and his wife, and also his sister, Judith Gariot, to the Southampton corporation, that his wife and sister may be permitted to follow the employment of mantua making without any further molestation.

Endorsed—" Received August 25, 1705."

Annexed is a letter to Robert Harley from the mayor of Southampton, John Thornburgh, dated August 13, 1705, stating that Phillip " Garrett " and his father Thomas have exercised their trade of cutlers without molestation, but the said Philip, having taken upon himself a tailor's trade also, has been indicted for so

doing; for indeed the poverty of the Company of Tailors is such that it will not admit of its being invaded, which he hopes will not be interpreted a violation of the Queen's protection.

ELIZABETH BOUCHER.—Has been near two months in custody of one Davies, a Queen's messenger, and is so debarred from hearing of any public worship. Prays for leave to go to the French church.
Endorsed—" Mrs. Boucher's petition, September 21, 1705."

ALEXANDER CUNNINGHAM.—" Was employed three years ago by the late King to negotiate a business of importance at the French court." Prays for a recompence for the same; also to be employed by the Queen or to receive a pension. " Thereupon he is ready to inform her Majesty more particularly of the progress he made, and will deliver up the papers relating to that affair as her Majesty shall order him."
(1704-1705).

ROBERT CLARE, printer. Report, declaration and petition.—Giving details of his proceedings between November 29 and December 5 (1705). On complaint of one Mr. Jones that a certain " translation of Letters was printed upon him" by Mr. Bradford and hawked about the streets by his criers; and on receipt from Jones of this " counterfeit paper," Clare obtained a warrant for Bradford's apprehension and went with Brown, the messenger, to execute it. They failed to take Bradford, but arrested Mrs. Bradford, and searched the house for papers but did not find any. Prays to be forgiven for not having made his usual report this week, as this business has taken up all his time.
(December, 1705.)

FRANCIS LAWRENCE.—Prays for the discharge of his wife, Christian Lawrence, who has been in custody under Mr. Browne, the messenger, for about five months on account of her coming from Dunkirk. Petitioner is favoured by Admiral Churchill and entertained in the service.
Endorsed—" Received January 3, 1705-6."

WILLIAM CARRILL.—Is sixty years old and very infirm, and has by virtue of Harley's warrant been committed to the messenger's hands and Newgate, where he has remained a close prisoner, his friends not being allowed access. Was innocent of any design against the Government when he returned to England. Is willing to go into banishment. Prays for deliverance.
(1706, beginning of ? Cf. p. 216 *above*.)

PETITIONS AND MEMORIALS TO ROBERT HARLEY, SECRETARY OF STATE, 1704-1708.—*Cont.*

CAPTAIN PETER D'AUSSY.—Petitioned the Queen about eight months past for subsistence on the half-pay list in Ireland, which was referred to the Duke of Ormonde, as appears by the annexed copy, but no report thereon has yet been made. Supposing that the establishment of Ireland is already overburdened, he applied to the Duke of Marlborough for some provision, and was told that his Grace had recommended him particularly to his honour. Prays that Mr. Harley will prevail with the Queen to make some provision for him in England, either on the civil list or on the settlement of the guards and garrisons.

Endorsed by Harley—" Received June 25, 1705."

Annexed is a later memorial (to the Duke of Marlborough.)

Endorsed—" January 31, 1705-6."

SIMON CLEMENT.—Two memorials, almost in the same words as that addressed to the Queen, on page 344 *above;* but fixing the sum asked for at 600*l.* Dated February 2, 1705[-6] and August 9, 1706; the later one being endorsed by Harley as read on the same day.

MATTHEW COUDELL'S Memorial.—Acknowledges gratefully the protection which has afforded him an opportunity of obtaining a licence from the Lord Lieutenant of Ireland to go into that kingdom. But he must produce certain assurance of his having been before Harley, and that Harley does not disapprove of his being in England, if he is to have a licence to go to Ireland. As his only means of subsisting depends on this licence he prays that the said assurance may be given to the Duke of Ormonde.

Endorsed—" February 5, 1705-6."

JERONIMO CLIFFORD.—By an order in Council, made the 9th of July, 1705, Harley was directed to lay petitioner's case and papers relating to the damages he had sustained by the Dutch Government and Company of Surinam before the Queen, which he hopes has been done long ago. Since that time he has several times petitioned the Queen, and sent letters to the Privy Council and to Harley, Mr. Warr and Mr. Lewis, proposing to compound the said damages done him and to dispose of his estate and effects in Holland and Surinam to the Dutch at a moderate price, but has had no answer to his petitions or letters. He prays to know what has been done and to be granted copies of all letters, orders and resolutions passed in his favour since the above mentioned date.

Endorsed—" Received March 23, 1705-6."

Annexed is one of the letters referred to from Clifford to Mr. Warr. Fleet prison, July, 1705.—Asking to be informed when

Mr. Harley is likely to lay his case before the Queen again, and to have any letters for him from Mr. Stanhope or anyone else in Holland sent on to him by the bearer.

Endorsed—" Received July 30, 1705.

JOHN BOURK.—Has been a footman for twenty years past to Lord Power and other gentlemen, and being able to speak French waited on three of the French generals as interpreter till they went to France a year ago. Upon their return, in January last, he went to Greenwich, hoping to be employed by some of them as servant, but was seized by Major Churchill and detained as a spy. Prays to be discharged from confinement.

Endorsed—" April 18, 1706."

ROBERT STRONG.—Has by Harley's orders attended here ever since the middle of last April to be evidence for the Queen upon the trial of Mr. James Hannan, whom he had expected to be brought to trial last term, but now understands the same is put off till November next. Being a seafaring man it is very detrimental to him to be detained so long from his business. Prays for an allowance during the time that his farther attendance may be thought necessary, or for a discharge with a consideration for the time he has attended.

Endorsed by Harley—" Received June 25, 1706."

WILLIAM HOPLEY.—Is condemned to death for a burglary. Is twenty-two years old and but lately come from sea. This is his first offence. Prays for "a reprieve for transportation," or to serve the Queen by sea or land.

Endorsed by Harley—" Received July 7, 1706."

WILLIAM CARRILL.—Having notice that he is to be speedily transported, and being very much indisposed, he prays to be admitted to bail in order to recover his health, giving good security for his surrender on the day appointed.

(July, 1706. Cf. p. 237 *above*.)

CELIA HAINES.—Her action in the affair for which she is now confined was with a real intent to serve the Government, and was in accordance with Harley's directions. Is a widow and has several children, to support whom her goods have all been sold, and who have not now sixpence to support them in a strange country. Prays to be discharged.

(About 1706.)

Another petition from the same.

Is in a miserable condition, being in a " perishing place " with no bed or victuals or money. Prays to be allowed something

where she is or to be sent back where she was before till she can get bail.

Endorsed by Harley—" Received August 24, 1706."

THOMAS ARNOLD.—Lies under sentence of death for being concerned in breaking open the house of Samuel Sambrooke, esquire, being enticed thereunto by one James Hacket, who was evidence against him to save his own life. Has served three campaigns in Flanders under the Duke of Marlborough, and was sent hither for recruits. This is his first fault and nothing was taken from Mr. Sambrooke. Prays for pardon on condition of serving abroad.

Endorsed by Harley—" Received December 11, 1706."

Memorial of CHRISTOPHER, LORD SLANE.—The Duke of Marlborough lately offered him letters to the Earl of Galway with an encouragement to bring over deserters from the enemy; but he is of opinion that this cannot be done unless he first carries a corps into Spain to be a foundation for them to join. He therefore proposes to raise 1,000 or 1,200 men in England or Ireland, or to draft them from the regiments in Ireland, and desires that they may be dragoons, as he has always served in the Horse. This will attract most of the Irish away from the enemy's service.

Endorsed by Harley—" Received 1706, December 20."

DAVID LINDSAY'S Representation.—By the Earl of Mar's intercession the Queen has promised him her bounty when he is at liberty. But by the condition of his pardon he must leave the kingdom within six weeks of the date thereof, and in a foreign country his circumstances will be even more miserable. Prays to be informed of the Queen's pleasure.

Endorsed by Lewis—" Received 1706, December 28."

Also a duplicate of the same.

ROBERT STRONG.—Being required to attend as evidence for the Queen, and being a seafaring man, has been three times of late impressed, and obliged to trouble his bail to appear in order to his being set at liberty, which has been very prejudicial to them, they being tradesmen. Prays for a protection from Harley himself or an order to the Admiralty for it to keep him clear of the Press.

Endorsed—" Received December 30, 1706."

Also another petition praying for an allowance and a renewal of his protection, which will expire the next day. (Undated.)

SARAH HEATH, widow.—Her husband, Topp Heath, was mortally wounded by one John Hoskins, who has been pardoned after conviction. Being left with nine children she prays for the Royal bounty.

(After April, 1706.)

PETITIONS AND MEMORIALS TO ROBERT HARLEY, SECRETARY OF STATE, 1704-1708.—*Cont.*

JAMES LE MOYNE.—Was committed to Newgate on the 27 of April, 1705, and continued a close prisoner till the 18 of July, 1706, when he was "ordered to be at large" as other prisoners were. Having no friends in London, he would have inevitably perished had not Mr. Fell, the keeper, ordered him drink and victuals daily at his own charges out of pure pity. He prays, therefore, that Mr. Fell may have full satisfaction and that petitioner may be set at liberty.
(About 1706.)

JACOB HOGEN, chief lieutenant at sea in the service of the King of Sweden.—Was taken up last summer at Portsmouth for a spy by order of Sir John Gibson, put in prison, and then sent on board the *Britannia*, under Sir Cloudesley Shovel, and so, in last July, 1706, aboard the *Association*, where Sir Thos. Dilkes had his flag, and where he remained. Went with the fleet to Lisbon and was there discharged. Prays for consideration. Dated 1707, March 5.

Enclosed is a copy of a letter from Sir Cloudesley Shovel to Sir Geo. Byng, stating that Hogan was sent aboard as a spy, but not having perceived "any such thing," he has discharged him, and desires he may have a free passage home and victuals. *Also*, a certificate of good conduct and discharge from Captain Edmund Loades. Both dated 1706, December 30, *Association*.

Endorsed by Lewis—"Received from Mr. Leyencrona, March 8, 1707, *and by Harley*—"Kensington, March 9, 1706-7. Read."

ELIZABETH HACKETT.—On behalf of her son, James, aged about twenty, under condemnation of death in Newgate for housebreaking. He has served at sea as carpenter's mate several years in the *Boyn* under Captain Peddar and Lord Hamilton, and in 1702 in the *Plymouth* under Captain Kerton, and in 1703 in the *Ludlow* under Captain Cock, in which he was taken prisoner and confined with a fever upon him at Dunkirk. After his exchange he served with Captain Cow on the *Ranelagh* and Captain Miles on the *Dreadnought*, and at the taking of Ostend. As he is her only son and very penitent, and his father and family have been great sufferers for loyalty, she prays for his transportation.

Endorsed by Harley—"Received June 4, 1707."

JOHN WILLIAMS' Memorial.—Provided in July last, by Harley's direction, John Jones and John Shuter, printers, to attend in the expedition under Lord Rivers, and proposed fifty shillings a week each for their pay, and 20*l.* more to be advanced, without which they would not have left their families and business. But Mr. St. John in the warrant mentioned that 20*l.* as part of their pay, whereby, without Harley's assistance, they will lose what was intended. They also requested that ten shillings a week

might be deducted from their pay for each of their wives, leaving letters of Attorney for that purpose entered at the paymaster's office. The money was deducted but never paid to the women, in spite of petitioner's constant attendance at the said office, and they would have starved if he had not paid them with his own money, amounting to 38*l.* Prays therefore for a letter to Mr. Brydges, the paymaster of the forces, and that the Lord Treasurer may be moved to procure payment. Dated May 28, 1707.

Endorsed by Harley—" Received June 6, 1707."

CAPTAIN EDMOND CLARKE.—Commanded a store-ship in the reduction of Ireland, and the fifth-rate ship of war *Unity* in the late war, going into the merchant service at the peace. Hoped to have had his command renewed when war broke out again; but not obtaining it he placed all his substance in a ship for the merchant service, which was lost in the late great storm. Prays for provision or employment.

Endorsed by Harley—" Received June 18, 1707."

JAMES LE MOYNE, Newgate.—Is in a miserable condition and unable to withstand the rigours of another winter. He prays therefore that he may be discharged from gaol, or may receive a hearing, or may be allowed a sufficient subsistence; and that in the meanwhile he may be set among the debtors from among the company of criminals, where he is obliged by the keepers to lie both day and night, he being naturally averse to all their knavery and ill company.

(October, 1707.)

SARAH BUTLER, widow of Captain James Butler.—Has presented informations against several persons now under prosecution, but has received no encouragement from the Government. Having petitioned the Queen several times for a continuation of her pension she can get no answer. Prays for consideration and for a supply to enable her to travel home in case the pension is not continued.

(1707 ?)

Also another petition, stating that she is ready to be thrown into gaol by her landlord, and almost in danger of her life for serving the Government.

Annexed, part of an information against Elizabeth Dalton, a receiver of stolen goods.

THOMAS ALDRED.—Returns hearty thanks for granting the discharge of his wife upon bail. Is exposed to great hardships from want of trade, though he has been a " housekeeper " these thirty years in the parish of St. Giles. He is now about to obtain a letter of licence from the creditors of his son (who has been

the ruin of petitioner), that he may return from Holland, and thereby remove all occasions of farther trouble. Prays to be accepted as bail for the appearance of his said wife when Harley shall think fit.
(1704-1708.)

RICHARD BURRIDGE and JOHN BRADFORD, printers.—"Having brought to perfection at great cost and charges a new invention called the British Annalist, of which they, to prove themselves the sole projectors, have got it entered into the Signet Office, but this new design finding great encouragement in the world, some ill-minded persons, to hinder the sale thereof, have published hand advertisements about town, as well as advertisements in the *Postman* and *Gazette* without subscribing them by any names, to incense people that the said British Annalist, (which is humbly presented now to his honour), is a counterfeit sham thing." Therefore, petitioners having received great damage through their advertisements, which have baulked the sale of the British Annalist very much, "most humbly crave the favour of commanding an advertisement may be put in the *Gazette* to intimate the British Annalist is no counterfeit or sham thing."

Annexed—

ADVERTISEMENT.—Whereas the Company of Stationers, having a design to frighten people from selling the *British Annalist*, by particular advertisements sent to public houses, as well as inserting the same in the *Postman* and *Gazette*, they have advertised that the broad sheet intituled the *British Annalist*, printed by John *Bradford*, and which was really presented to her Majesty by Mr. Richard Burridge, is a counterfeit thing; but passing by all their shams of counterfeiting dead men's almanacs and almanacs with feigned names, which will shortly be exposed to the world in a sixpenny book, that people may not be imposed upon for the future with their shams—this is only to inform all traders whatsoever that they may sell the *British Annalist* without any molestation or trouble, for the author and printer will vindicate and stand by the sellers of the same against all that durst oppose it.—R. Burridge, J. Bradford.

Note, the aforenamed broad sheet, called the *British Annalist*, is to be sold by the aforesaid *John Bradford* at the Bible, in *Westmoreland Court*, in Bartholomew Close, near West Smithfield. Price 2d., metzo tinto, 1s. 6d., in frames, 2s. 6d.
(1704-1708.)

ANN BROWN, widow. Was lately taken into the custody of Mr. Allen, one of her Majesty's messengers, upon malicious information given against her. Is of known integrity and of good affection to the Government, and has lost her only employment—

that of bringing bacon out of the country to sell at Newgate Market—by being detained in custody. She prays that she may be heard and discharged.
(1704-1708.)

PETER CARNEY.—Is a prisoner in the messenger's hands by virtue of Harley's warrant. Protesting his great age, indispositions, and entire innocence. He prays to be admitted to bail.
(1704-1708.)

CHURCHWARDENS AND OVERSEERS of the parish of ST. MARGARET'S, WESTMINSTER.—"The numbers and necessities of the poor of the said parish are so abundantly increased that petitioners are forced to beg the charitable benevolence of pious noble persons." They pray for relief "against Christmas."
(1704-1708.)

DEBORAH CLARK, "only daughter of John Melton, author of *The Paradice Lost.*"—Petitioner "is in a very low and destitute condition, but is far more desirous to maintain herself by her care and industry than to be burdensome to any honourable person who generosity might induce to relieve her for the respect had to her late dear father." Is capable of gaining her living had she a small stock to put her in a way to do so, and humbly prays his Honour to compassionate her distressed condition as shall seem meet.
(1704-1708.)

MARY DAVISON, widow.—Upon the recommendation of Mr. Kirk, (page of the back-stairs to the Queen), to Harley, and his recommendation to the Archbishop of York, she was last year admitted to be one of the maundy women. Her husband served in the army for forty years, and lost three sons in the late war. She is aged and in great necessity, and being again recommended by Mr. Kirk, she prays that Harley will again propose her for the charity.
(1704-1708.)

JEAN GALLES, in behalf of the FRENCH HATMAKERS.—About two years ago Harley procured a stop to the prosecutions at law against them by the English hatmaker master, who wished to hinder them from pursuing their trade. Being now summoned to appear next Monday before the Barons of the Exchequer on account of the former suit, they have recourse to his wonted generosity and charity, and pray that he will procure a protection for them to exercise their trade, which is all they have to keep their families from starving.
(1704-1708.)

PETITIONS AND MEMORIALS TO ROBERT HARLEY, SECRETARY OF STATE, 1704-1708.—*Cont.*

JOHAN ADOLPH KESLER.—His case has already been presented by Count Gallas, his Imperial Majesty's Ambassador. Was the son of a minister at Hamburgh and "did support his family by merchandizing; but bringing his family and effects to England his wife and child and the great part of his effects was taken by the French, which reduced your petitioner to such necessity that he was obliged to think of other ways for a livelihood." He obtained a licence from the Master of the Revels to go about the country with a show, and being at Wellingborough he was seized upon pretence that he was a Jesuit, and by order of Justice Freeman was committed to Northampton gaol until four weeks later, when he was discharged at the quarter sessions. But having no money to pay the fees his goods were seized, and during his confinement his licence was run out. Prays for relief and renewal of his licence.
(1705-1708.)

ELIZABETH MASSEY to [ROBERT HARLEY ?]—Petition.—Her husband has been thrown into prison by his creditors, and so is unable to do his business at the customs office. Prays for relief.
(1704-1708 ?) *Added in her own hand:* "I pray your Onour, for Christ sake if it be never so small for our want is very great."

EDWARD OWENS.—A letter carrier's place being now vacant at the General Post Office he prays for leave to wait on Sir Thomas Frankland as from Harley.
(1704-1708.)

FRANCIS PERRY.—Was recommended by letter from Mr. Robert Cutler and is known to Councillor Woodhouse. Prays to be recommended to the Lord High Treasurer or Commissioners of Customs for a tidewaiter's place now vacant in the port of London.
(1704-1708.)

JOHN WILLIAMS.—Has managed the affairs of the Queen's printing office nearly twenty years, and prays to be appointed to the office of printer for the service of the Secretaries of State, for printing the *Gazette*, etc., vacant by the death of Mr. Edward Jones.
(1704-1708.)

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